

Volume 9

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Richard Seeborg, Judge

UNITED STATES OF AMERICA,

Plaintiff,

VS.

ROWLAND MARCUS ANDRADE,

Defendant.

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NO. 3:20-CR-00249 RS

San Francisco, California  
Friday, February 21, 2025

**TRANSCRIPT OF JURY TRIAL PROCEEDINGS**

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## PROCEEDINGS

Friday - February 21, 2025

8:06 a.m.

P R O C E E D I N G S

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(Defendant present, out of custody.)

(Proceedings were heard out of the presence of the jury.)

**THE COURTROOM DEPUTY:** Remain seated. Please come to order.

**THE COURT:** Okay. Good morning.

**MR. HIGHSMITH:** Good morning.

**THE COURT:** What's today's issues?

**MS. DIAMOND:** One small thing, Your Honor.

We may not get to the witness that my issue concerns. It's a gentleman named Bryant Ling. We got notice yesterday, at the end of court, that he was a potential for today. And he has some exhibits that I require some technical assistance to identify the location on recordings and things that I might need to use.

And because we didn't get the 24 hours' notice that we had requested and mostly have been getting, sometimes not, I would request that if we start that witness, we might need to split his cross or have him come back for recall, because I don't want to take the Court's time while I'm fumbling to try to find the place in the recording that I will need.

**THE COURT:** Are we likely to get to this witness?

**MR. HIGHSMITH:** Yes, we are, Your Honor.

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1 So we've got six witnesses left. I'll tell you the --

2 **THE COURT:** In total?

3 **MR. HIGHSMITH:** In total.

4 So I'll tell you our plan, and it might relate to  
5 scheduling for today. We're going to call John Bryan first and  
6 Bryant Ling second. He's the Undercover Agent 7410.

7 **THE COURT:** John Bryan. Bryant?

8 **MR. HIGHSMITH:** Ling.

9 **THE COURT:** Ling.

10 **MS. DIAMOND:** Bryant Ling has a T at the end of his  
11 first name.

12 **THE COURT:** Okay.

13 **MR. HIGHSMITH:** And so that's the undercover. We're  
14 going to play recordings. We produced the recordings a while  
15 ago, but last night we revised it to include a little bit of  
16 time earlier. So we did, less than 24 hours, give them a  
17 revision to that recording, a very small amount of time.

18 The third witness is Ms. Hernandez. The next witness  
19 after that is Ms. Chiu, Mr. Carfora, Mr. Quinn.

20 So that's our game plan in terms of scheduling.

21 I don't really have much to say. If they want to  
22 recall --

23 **THE COURT:** Well --

24 **MR. HIGHSMITH:** -- Mr. Ling --

25 **THE COURT:** So the expert is Mr. Ling?

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1           **MR. HIGHSMITH:** He's not an expert. He's just an  
2 undercover who did -- who made recordings of Mr. Andrade.

3           **THE COURT:** And this is the one you've got technical  
4 problems with, Mr. Ling?

5           **MS. DIAMOND:** Your Honor, I was not, last night, able  
6 to get the assistance that I need to manipulate the recordings.

7           **THE COURT:** But it's this witness?

8           **MS. DIAMOND:** Yes.

9           **THE COURT:** Okay. And he's number two?

10          **MR. HIGHSMITH:** Correct.

11          **THE COURT:** So it's just you're telling me there's  
12 going to be a delay of sorts?

13          **MS. DIAMOND:** There will be a much longer delay if I  
14 have to do this today than if I would do it on Wednesday when  
15 we come back or whatever day we come back.

16          **MR. SHEPARD:** I have a similar issue to raise.

17          **THE COURT:** Well, let me finish with this issue --

18          **MR. SHEPARD:** Yeah.

19          **THE COURT:** -- before I get to your issue.

20          So --

21          **MR. HIGHSMITH:** It's not a late production issue. We  
22 just -- we produced this stuff a long time ago. I don't know  
23 how to respond to their difficulties bringing up evidence that  
24 was produced a very long time ago.

25          **THE COURT:** Well, are you dead set in wanting to have

## PROCEEDINGS

1 this person today?

2 **MR. HIGHSMITH:** Yeah. I mean, we want to move -- yes.

3 **THE COURT:** I'm talking about shuffling the order, is  
4 what I'm talking about.

5 **MR. HIGHSMITH:** We're not prepared to shuffle the  
6 order. Mr. Carfora is in --

7 **THE COURT:** All right. Okay.

8 **MR. HIGHSMITH:** -- North Carolina or something.

9 **THE COURT:** Okay. All right. Well, if you have to --  
10 unfortunately, for this person, if he has to be recalled -- if  
11 we don't get through it, we don't get through it. I mean,  
12 there's not much I can do about it. So...

13 **MS. DIAMOND:** I can do as much as I can --

14 **THE COURT:** Good.

15 **MS. DIAMOND:** -- without the recording; and if we need  
16 the recording, we may just need to recess the cross to be  
17 continued when we can recall him.

18 **THE COURT:** Well, or you just recall him; right?

19 Or you call him --

20 **MS. DIAMOND:** I can do that.

21 **THE COURT:** -- in your --

22 **MS. DIAMOND:** We can do -- I mean, assuming  
23 the Government would make him available.

24 Your Honor, we didn't know till this week that this  
25 witness was a UCE 7410. We made a request to have this witness



## PROCEEDINGS

1 identified pretrial, and the Government chose to say that they  
2 would offer him under a pseudonym. So we did literally not  
3 know that --

4 **THE COURT:** Well, I'll --

5 **MS. DIAMOND:** -- this witness was that person.

6 **THE COURT:** I'll let you -- I'm not saying you can't  
7 have the time you need. So we don't have to --

8 **MS. DIAMOND:** Thank you, Your Honor.

9 **THE COURT:** -- get into all of that.

10 **MS. DIAMOND:** Thank you, Your Honor.

11 **THE COURT:** We'll just see where -- plug ahead and get  
12 as much done as we can get done.

13 **MS. DIAMOND:** Thank you, Your Honor.

14 **THE COURT:** Sure.

15 **MR. HIGHSMITH:** Just for the record, we don't agree  
16 that we --

17 **THE COURT:** Okay. Well, the last thing I want to do  
18 is get into the historical battle.

19 **MR. HIGHSMITH:** Me too, Your Honor.

20 **THE COURT:** Okay.

21 **MR. HIGHSMITH:** Me too.

22 In terms of logistics, we're trying to kind of thread the  
23 needle here with Abramoff's testimony. You know what I -- we  
24 want to have a full jury day so that the jury's time is not  
25 wasted, but we also know that we've got a different witness

## PROCEEDINGS

1 starting Monday and going to Tuesday. So we're trying to  
2 thread a needle here.

3 **THE COURT:** I understand. I know. I know. It's  
4 understandable.

5 **MS. DIAMOND:** Thank you, Your Honor.

6 **THE COURT:** Yes?

7 **MR. SHEPARD:** I have an issue related to the one that  
8 Ms. Diamond made, and that is relating to Theresa Chiu,  
9 Government expert, who is now on the list for today, previously  
10 was on the list for last week.

11 And accompanying the notice that she was going to testify  
12 today, we got a new disclosure, an updated report, updated  
13 charts. I do not have -- it wasn't redlined, so -- and it's  
14 20-some pages of report, plus six or eight demonstrative  
15 exhibits. We saw some material changes in some of the  
16 exhibits.

17 You know, this was a disclosure that was scheduled to be  
18 made back in January.

19 **THE COURT:** Things aren't set in stone. Things  
20 change. People make adjustments. I mean, it's just the way of  
21 the world. And competent lawyers, like all of you, are good on  
22 the uptake and can deal with it.

23 Every time there's something like a tweak, I'm not -- it's  
24 not my problem, frankly.

25 **MR. SHEPARD:** I don't think it's a tweak. There's

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1 some material changes in --

2 **THE COURT:** Well, is there something specific that --  
3 other than just "Oh, it's different" and "Oh, I haven't had a  
4 chance," is there something specific you need? I mean, what am  
5 I supposed to do with this? What do you want me to do? Tell  
6 them, "No, you can't call that witness"?

7 **MR. SHEPARD:** No. What I would request is that if we  
8 need to continue the cross so that we have the opportunity to  
9 actually understand the most recent set of changes, which just  
10 not -- we're just not capable of doing that.

11 **THE COURT:** Well, I think you're more --

12 **MR. SHEPARD:** We have experts --

13 **THE COURT:** -- capable than you say.

14 **MR. SHEPARD:** -- who we've got to deal with.

15 So my only request is that we don't have to cross-examine  
16 her today. That's my only request.

17 **THE COURT:** Well, I'm not slowing this train down.  
18 We're cross-examining -- when a witness is finished on direct,  
19 you're cross-examining them.

20 But what is the nature of these changes?

21 **MR. HIGHSMITH:** Slight changes to the summary charts  
22 based on testimony that came in during trial, Your Honor.

23 **MR. SHEPARD:** The numbers are --

24 **MR. HIGHSMITH:** The numbers --

25 **MR. SHEPARD:** Some of the numbers are materially

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1 different.

2 **MR. HIGHSMITH:** They're different because there was  
3 new testimony that came in during trial.

4 **THE COURT:** I don't know if this is a real problem or  
5 not, but I'm not going to say every cross is conditional on  
6 having it continue forever.

7 Barrel ahead and we'll see where we are, and if there's a  
8 particular problem, you can identify it for me. But I'm not  
9 making some sort of strange arrangement that cross-examination  
10 stays in limbo subject to the moment when you think you've  
11 looked at it enough. So let's barrel ahead.

12 **MR. HIGHSMITH:** Understood.

13 **THE COURT:** Okay.

14 **MR. HIGHSMITH:** And we've submitted to the Court a  
15 joint stipulated instruction.

16 **THE COURT:** I saw that.

17 **MR. SHEPARD:** Yes. So just for the record,  
18 Your Honor, I object to the expansion of the expert witness's  
19 disclosure on the night before her testimony.

20 **THE COURT:** Okay. Your objection is preserved.

21 **MR. SHEPARD:** Thank you.

22 (Document handed up to the Court.)

23 **THE COURT:** Okay. That looks fine to me.

24 **MR. HIGHSMITH:** Thank you, Your Honor.

25 (Recess taken at 8:15 a.m.)

## PROCEEDINGS

1 (Proceedings resumed at 8:33 a.m.)

2 (Proceedings were heard out of the presence of the jury.)

3 **MR. WARD:** Can I have one moment before the jury comes  
4 in?

5 **THE COURT:** Okay.

6 **MR. WARD:** I apologize. I should have raised this a  
7 little bit earlier.

8 Mr. Bryan is here. He has had a number of bladder and  
9 other surgeries and may need to take somewhat more frequent  
10 bathroom breaks. He thinks he can go an hour and a half, maybe  
11 two hours. But I'd just ask if he needs to take, we can take a  
12 short break.

13 **THE COURT:** Sure. And I'll make sure it's more like  
14 an hour and a half than two hours. We're usually doing it  
15 at -- taking the break at an hour and a half, so I'll make sure  
16 we do that.

17 **MR. WARD:** And hopefully, he'll make it that long. If  
18 not, we'll --

19 **THE COURT:** Okay.

20 **MR. WARD:** Thank you.

21 (Proceedings were heard in the presence of the jury.)

22 **THE COURT:** Good morning, jurors. Thank you again for  
23 being so prompt. Happy Friday.

24 So, Mr. Highsmith?

25 **MR. HIGHSMITH:** The United States calls John Bryan.

**BRYAN - DIRECT / WARD**

(Witness enters the courtroom and steps forward to be sworn.)

**THE COURT:** If you could come forward, please, to be sworn.

**THE COURTROOM DEPUTY:** Please raise your right hand.

**ANTHONY ADRIAN JOHN BRYAN, JR.,**  
called as a witness for the Government, having been duly sworn,  
testified as follows:

**THE WITNESS:** I do.

**THE COURTROOM DEPUTY:** Please be seated.  
State your full name and spell your last name, please.

**THE WITNESS:** Anthony John Adrian Bryan, Jr.

**DIRECT EXAMINATION**

**BY MR. WARD:**

**Q.** Good morning, Mr. Bryan.

**A.** Good morning.

**Q.** In 2017, did you work at a company called  
The Watley Group?

**A.** Yes, I did.

**Q.** And what was your position?

**A.** I was chief executive officer.

**Q.** All right. Just briefly, what type of company is  
The Watley Group?

**A.** It's a company that specializes in working with companies  
that get into business problems, and we do consulting work to  
restructure and to try to turn around those companies and help

1 them to perform better.

2 Q. In 2017, did you learn about a company called the  
3 NAC Foundation and a cryptocurrency called AML BitCoin?

4 A. Yes, I did.

5 Q. How did you learn about the NAC Foundation and  
6 AML BitCoin?

7 A. A close friend of mine, Jack Abramoff, called me and asked  
8 me to take a look at it. He and I were partners in many  
9 different business opportunities.

10 Q. And what, generally, did he tell you about AML BitCoin?

11 A. He said that AML BitCoin had a long history through  
12 Marcus; that they had developed technology that would bring far  
13 more regulation and far more safety and far more security to  
14 the cryptocurrency marketplace; that it would be more like the  
15 major banks that have rules about know your client or  
16 anti-money laundering, all of which are meant to prevent fraud  
17 and prevent misuse of the cryptocurrency space.

18 Q. Did he tell you who was in charge of the NAC Foundation?

19 A. Yes.

20 Q. Who was that?

21 A. Marcus Andrade.

22 Q. Shortly after that conversation with Mr. Abramoff, did you  
23 meet with Mr. Andrade?

24 A. Very briefly in Los Angeles I did. I believe it was  
25 around August or so.

1 Q. And when you met with Mr. Andrade, did you discuss with  
2 him the NAC Foundation and AML BitCoin?

3 A. Yes.

4 Q. Generally, what did Mr. Andrade tell you about  
5 AML BitCoin?

6 A. That he had a long -- he told -- talked about his own  
7 experience, that he had a long history in the cryptocurrency  
8 marketplace, that he had founded another cryptocurrency called  
9 the Aten Coin and that during that period of time when he  
10 launched that in an initial coin offering -- which is not  
11 unlike taking a stock public on the New York Stock Exchange,  
12 except for it's cryptocurrency.

13 And he had been uncomfortable with the cryptocurrency  
14 market, and as part of Aten Coin, he had developed a whole  
15 series of anti-money laundering and know-your-client type of  
16 protocols and software that would protect investors and protect  
17 owners of the cryptocurrency from hacking and from being --  
18 having unethical or perhaps criminal elements be involved in  
19 the shareholding and purchasing.

20 Q. Did he discuss with you AML BitCoin and the technology  
21 undergirding that cryptocurrency?

22 A. Yes, he did.

23 Q. And what did he tell you about the technology as it  
24 related to AML BitCoin?

25 A. He told me that that technology was developed when he was



## BRYAN - DIRECT / WARD

1 at Aten Coin; that he had transferred that technology, I guess,  
2 to the NAC and to AML BitCoin; and that the technology was  
3 fully developed and they were working on additional services  
4 and additional characteristics of this that would give it more  
5 relevance to the cryptocurrency market.

6 **Q.** Did he discuss biometrics?

7 **A.** Yes, he did. And he said that biometrics would be a part  
8 of the protocol that would make sure that only the person  
9 identified and known and trusted would be able to actually buy  
10 or sell the cryptocurrency.

11 **Q.** Did Mr. Andrade discuss with you business development  
12 deals or business deals in the works at that time?

13 **A.** Yes, both he and Jack did that. And they described a very  
14 robust adoption of this anti-money laundering, know-your-client  
15 type of cryptocurrency; and they said that a number of  
16 governments were on the verge of adopting it as a crypto  
17 payment system within their countries and that, also, a number  
18 of very large clients, such as the Panama Canal, the Government  
19 of Panama, the Port of San Francisco, the Government of  
20 Slovenia, and several other governments that I don't recall at  
21 this time.

22 **Q.** Did Mr. Andrade talk to you about an upcoming ICO for  
23 AML BitCoin?

24 **A.** Yes. He said that the launch of the coin would be -- was  
25 fairly imminent, that it was probably going to take place in --

## BRYAN - DIRECT / WARD

1 I believe he said December/January at that time.

2 Q. And during this conversation with Mr. Andrade, did he ask  
3 anything of you?

4 A. He said that Jack and he and -- he explained that they  
5 were sort of partners in this transaction, wanted me to have an  
6 opportunity to buy some of the cryptocurrency.

7 Q. All right. In these early meetings in August 2017, did  
8 you purchase any AML BitCoin at that point?

9 A. No, not at that point in time. We subsequently evaluated  
10 whether -- you know, I didn't know very much about the  
11 cryptocurrency space, and I put together a group of my friends  
12 to purchase some of the coins.

13 Q. And --

14 A. That was subsequent to August. This was probably  
15 September/October.

16 Q. So in September/October, did you raise money from your  
17 friends and yourself to purchase AML BitCoin?

18 A. Yes.

19 Q. And how much did you raise?

20 A. I believe the initial contract was signed for  
21 approximately 100- or 120,000 -- I don't remember -- dollars,  
22 and I believe the final dollar amount was about 70,000.

23 Q. Okay. Did you have further discussions with Mr. Andrade  
24 after the initial phase of the ICO for AML BitCoin?

25 A. Yes, I did throughout, I guess, September, October,

BRYAN - DIRECT / WARD

1 November, December periodically. I was talking to Jack  
2 frequently on this and other transactions. Jack and I --  
3 excuse me -- were meeting almost every day. I mean, we were  
4 meeting biweekly at least on other things, so he was constantly  
5 updating me about this opportunity.

6 **Q.** After the ICO, what did Marcus Andrade tell you about the  
7 results of the ICO?

8 **A.** He said -- at the initial August meeting, he told me that  
9 he was going to be selling 100 million coins for a dollar  
10 apiece and raising \$100 million. I couldn't -- I believe at  
11 that time he said this was -- he was in negotiations to do this  
12 imminently. And subsequently, he came back and said that they  
13 had discounted the price slightly, that they had sold 100,000  
14 at 70 cents, and that had raised for them approximately  
15 \$70 million.

16 **Q.** Okay. And did he tell you at that point how much of that  
17 70 million AML -- the company still had in the bank?

18 **A.** At some point Jack explained to me that they had a lot of  
19 obligations. They had a London software group, they had a  
20 variety of things they were investing in, and that the balance  
21 remaining there was about \$26 million.

22 Excuse me. Sorry. If I may?

23 **THE COURT:** Go ahead.

24 **THE WITNESS:** Pardon me.

25 \\\

## BRYAN - DIRECT / WARD

1 BY MR. WARD:

2 Q. Mr. Bryan, you said your conversations continued with  
3 Mr. Abramoff and Mr. Andrade through the fall of 2017. At some  
4 point did you begin to discuss with them working with the  
5 company as an advisor?

6 A. I did. I believe that was towards the end of the year,  
7 and I'm not sure exactly when. I think over -- over time, Jack  
8 was very much trying to get me involved. I'd involved him in  
9 almost all of our transactions, and at that point in time, he  
10 was really my -- one of my very best friends.

11 Q. Were you able to reach an agreement and enter into a  
12 contract to come work for AML BitCoin?

13 A. The initial contracts were really more oriented towards  
14 buying coins; and up until that point, there was not really --  
15 I think we had discussed a lot of potential services; but when  
16 it really got down to putting together draft agreements, most  
17 of them were still related to purchasing and buying the actual  
18 coins.

19 Q. Did they want you to raise more money and bring in more  
20 purchasers for AML BitCoin?

21 A. Yes, they did. It was more of the pre-ICO, you know,  
22 placement of coins within the hands of people that would add  
23 value to their group of investors.

24 Q. In addition to raising money, what type of consulting or  
25 advisory services did you discuss providing to AML BitCoin?

BRYAN - DIRECT / WARD

1   **A.**   Subsequently, they asked me to get more involved in the  
2   promotion and the -- the publicity that would be surrounding  
3   the ICO so that they could get more eyeballs on the ICO and get  
4   more eyeballs into the trading and, therefore, have a more  
5   robust introduction of the ICO.

6   **Q.**   And did you agree to provide these promotional services  
7   and advisory work for them?

8   **A.**   I agreed to be the umbrella, for which we brought in a  
9   variety of experts that were very expert in the field of doing  
10  the publicity or doing whatever specific task they needed to  
11  have done. So I was the umbrella for any of the services that  
12  would be provided that were related to the publicity or the  
13  other aspects.

14  **Q.**   In January of 2018, did you work with Mr. Andrade and  
15  Mr. Abramoff on developing an advertisement to run in the  
16  Super Bowl?

17  **A.**   Yes. They came to me -- or I believe it was originally  
18  Jack came to me and said that they had decided to purchase a  
19  Super Bowl commercial because they were imminently going to  
20  have their IPO -- or ICO and their launch of trading into the  
21  cryptocurrency marketplace. They wanted to tie that to a major  
22  event so that it would give them publicity and more people to  
23  be aware and interested in buying it.

24  **Q.**   Did you reach out to contacts who could help you -- help  
25  Mr. Abramoff and Mr. Andrade submit a Super Bowl ad to the

1 network?

2 **A.** Yes. At the time, I had a contract with a firm called  
3 WPP, which is the largest advertising agency in the world.  
4 They had 180,000 employees, to give you a little scale of how  
5 large they were.

6 **Q.** Did -- let me -- did WPP, then, put you in touch with  
7 someone to work with on preparing and submitting the Super Bowl  
8 ad?

9 **A.** Yes. They assigned a former employee of theirs who was  
10 responsible for doing all the diligence and due diligence on  
11 this to see if WPP wanted to be involved with it and to bring  
12 this to NBC, along with the consultant that they recommended.

13 **Q.** Did you then speak to Mr. Fenster about the process for  
14 submitting a Super Bowl ad?

15 **A.** Yes. Chet Fenster was their choice, and Chet and I  
16 started talking frequently.

17 **Q.** As part of that, did you submit to him several drafts of a  
18 proposal to create and then submit an ad for the Super Bowl?

19 **A.** Yes.

20 **Q.** All right.

21 **A.** Two things. One was an agreement for him to be paid and  
22 to be compensated and for us to share that with him, and the  
23 second thing was draft proposals coming from the AML BitCoin  
24 side for what they wanted as their advertisement or what their  
25 concept was.

**BRYAN - DIRECT / WARD**

1           **MR. WARD:** Could we pull up Exhibit 1459, please, for  
2 the witness and the parties and the Court.

3           **Q.** Mr. Bryan, looking at the top of this, is this an email  
4 from you?

5           **A.** Yes, it is.

6           **Q.** And who is it to?

7           **A.** To Chet Fenster.

8           **Q.** Is there an attachment to this email?

9           **A.** Yes, there is.

10           **MR. WARD:** Can we pull out and go to the next page.

11           **Q.** What is this generally?

12           **A.** This is the -- this is the proposal that I was putting  
13 together, cut and pasting all of the concept for the  
14 advertising from AML BitCoin, and it was summarizing the -- the  
15 overview of the proposal.

16           **Q.** Is this an accurate representation of the proposal that  
17 you submitted to Mr. Fenster?

18           **A.** Yes. This is what I submitted to Mr. Fenster.

19           **MR. WARD:** The Government would move to admit  
20 Exhibit 1459.

21           **MR. SHEPARD:** No objection.

22           **THE COURT:** 1459 will be admitted.

23           (Trial Exhibit 1459 received in evidence.)

24           **MR. WARD:** Can we go back to the first page, please,  
25 and publish for the jury.

**BRYAN - DIRECT / WARD**

1 Q. Again, Mr. Bryan, is this an email from you to Mr. Fenster  
2 on January 16th?

3 A. Yes, it is.

4 Q. Can we go to the second page, please. Is this the  
5 proposal that you submitted to him to create and submit a  
6 Super Bowl ad?

7 A. Yes. This is an overview of the conceptual -- of the  
8 whole concept.

9 MR. WARD: Okay. Can we please highlight the black  
10 and the red text at the top half of the document.

11 Q. Was this your summary? You write [as read]:

12 "The Watley Group will negotiate and purchase a  
13 30-second Super Bowl commercial from NBC . . . ."

14 Was that the initial proposal?

15 A. Yes.

16 Q. All of the text in red, is that a summary of the ad that  
17 you were proposing they create or that was proposed to be  
18 created?

19 A. Did you say in red? I'm sorry.

20 Q. In red, yeah.

21 A. Yes. The in-red section is the piece that I cut and  
22 pasted from their -- from AML BitCoin's proposal.

23 MR. WARD: Okay. Can we back out of this, please.

24 Q. At the time of this document, had the ad actually been  
25 made?



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1     **A.**    No, it had not.

2                 **MR. WARD:**   Can we go to the second page, please.

3                 Can we highlight the paragraph that says "Phase 2,"  
4     please.

5     **Q.**    Was the plan to negotiate with NBC over the next week to  
6     have them run the Super Bowl ad?

7     **A.**    Yes.

8                 **MR. WARD:**   Okay.   If we could pull out of this  
9     document, please.

10    **Q.**    At the time you sent this to him, you were having separate  
11    conversations with Jack Abramoff?

12                 **MR. WARD:**   Can we pull up, please, Exhibit 435.

13                 **THE WITNESS:**   Can I ask the date of that first  
14    proposal?   What was the date of that email?

15    **BY MR. WARD:**

16    **Q.**    January 16th.

17    **A.**    January.

18    **Q.**    So take a look at this email, please.   Is this an email  
19    from you to Jack Abramoff on January 17th?

20    **A.**    Yes, it is.

21    **Q.**    And is it -- does it -- does this email include  
22    conversations back and forth between you and Mr. Abramoff?

23    **A.**    Yes, it does.

24                 **MR. WARD:**   At this point the Government would move to  
25    admit Exhibit 435.

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1           **MR. SHEPARD:** No objection.

2           **THE COURT:** 435 will be admitted.

3           (Trial Exhibit 435 received in evidence.)

4           **MR. WARD:** If we could go to the bottom email that  
5 says "From: Jack Abramoff." Right there, yes.

6           **Q.** Do you see this email?

7           **A.** Yes, I do.

8           **Q.** Is this an email from Mr. Abramoff to -- this is an email  
9 from Mr. Abramoff to Mr. Fenster cc-ing you.

10          Looking at the topic of this email, what's Mr. Abramoff  
11 telling Mr. Fenster here?

12          **A.** He's summarizing the story of the commercial.

13          **Q.** Okay. Great.

14          **MR. WARD:** Can we pull out of that part, please.

15          Can we do the -- from -- about halfway up, "From:  
16 Jack Abramoff," and then down -- yes, right there.

17          And then if we could blow that up.

18          **Q.** Mr. Bryan, what was your response to the ad? You say  
19 [as read]:

20                 "Love it."

21          **A.** Love it.

22          **Q.** And then Mr. Abramoff says [as read]:

23                 "How are you guys doing on the proposal?"

24          What is he referring to there?

25          **A.** He's referring to that proposal that would be -- I believe

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1 he's referring to the proposal that we were writing that you  
2 had seen previously.

3 Q. At this time, were you continuing to work on and edit the  
4 proposal?

5 A. Yes. Yes, I was.

6 Q. Okay. Great.

7 MR. WARD: Can we pull out of this, and can we  
8 highlight the top email that starts "Jack" and then goes down  
9 to "John."

10 Q. If you look at the second paragraph, you write to  
11 Mr. Abramoff [as read]:

12 "I came up with a clever way to get Super Bowl  
13 results without the Super Bowl cost . . . ."

14 What are you referring to there?

15 A. The -- when we were discussing how to approach this  
16 commercial and the strategic options for them, one option that  
17 had been brought up was that if their campaign or if their  
18 commercial was rejected for any reason by NBC, that in the  
19 past, people had turned that into a large-scale advertising  
20 campaign of its own by saying that "Wow, this is the commercial  
21 that the NFL did not want you to see; and therefore, you should  
22 see it," and trying to make a story out of the rejection.

23 Q. Okay. Great. Thank you, Mr. Bryan.

24 MR. WARD: If we could pull out of this document,  
25 please.

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1 And then can we pull up Exhibit 897. And can we highlight  
2 the -- maybe the first half of the document for Mr. Bryan.

3 This is just for the witness. It's not been admitted.

4 **Q.** Mr. Bryan, is this a text chain between you,  
5 Jack Abramoff, and several other people?

6 **A.** Yes, it is.

7 **Q.** And excuse me. It's not a text chain. Is this a WhatsApp  
8 chain?

9 **A.** Yes, it is.

10 **Q.** An SMS message chain.

11 Is that your phone number at the time?

12 **A.** Yes, it is.

13 **Q.** And have you reviewed this message chain prior to  
14 testifying here today?

15 **A.** Yes, I have.

16 **Q.** And is it an accurate reflection of the messages that you  
17 were exchanging with Mr. Abramoff and others at the time?

18 **A.** Yes, it is.

19 **MR. WARD:** Move to admit Exhibit 897.

20 **MR. SHEPARD:** No objection.

21 **THE COURT:** 897 will be admitted.

22 (Trial Exhibit 897 received in evidence.)

23 **MR. WARD:** We can just keep this up the way it is.

24 **Q.** Mr. Bryan, looking at the top, you see where it says  
25 "Participants"?

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1 A. Yes.

2 Q. And in addition to your name and Jack Abramoff's name,  
3 who's Chris Grivakes?

4 A. Chris Grivakes is my counsel -- lawyer, and he's been sort  
5 of a part of The Watley Group for 20 or 30 years.

6 Q. And do you know who Alex Abramoff is?

7 A. Yes. I believe that's Jack's son or brother. I don't  
8 remember which.

9 MR. WARD: Okay. And can we highlight the  
10 conversations in Box 2, 3, and 4, please.

11 Q. Do you see line 2, Mr. Bryan?

12 A. Yes, I do.

13 Q. Is that a message from you to Mr. Abramoff?

14 A. Yes.

15 Q. You write [as read]:

16 "The written proposal will pretend we really are  
17 buying a Super Bowl ad because if anybody ever gets  
18 this in discovery or something, I don't want it to  
19 look like we planned to do this. Is that okay?"  
20 Do you see that?

21 A. Yes.

22 Q. And when you refer to "the written proposal," what is that  
23 referring to?

24 A. The written proposal was the one I was working on with  
25 Chet, and that's the proposal that you saw previously, and it

1 was the summary of how we'd be going to NBC and the people that  
2 would be making, supposedly, a decision.

3 **Q.** When you write "because if anybody ever gets this in  
4 discovery," what does that refer to?

5 **A.** That if there's ever a lawsuit, if there's a dispute, if  
6 there's anything related to a legal thing, in discovery, we  
7 would have to give up every message, every email, every  
8 document, every proposal; and I didn't think it looked good  
9 because they had decided at this point in time that they wanted  
10 the rejection and they didn't want to get a Super Bowl ad.

11 **Q.** All right. If you could look at line 4, is this a  
12 response from Mr. Abramoff to you?

13 **A.** Yes, it is.

14 **Q.** And he writes [as read]:

15 "Probably not the best idea. Maybe you can  
16 write it up in a way that says in the event NBC  
17 rejects the ad, and this is the plan. If you write  
18 it up the other way, he may not understand it and  
19 reject it out of hand."

20 What is he -- is he -- what is "he" referring to there?

21 **MR. SHEPARD:** Objection. Calls for speculation.

22 **THE COURT:** Sustained.

23 **MR. WARD:** Okay. We can pull out of that.

24 Let's go to the next page.

25 Can you highlight line -- can you highlight line 10,

1 please.

2 Q. Is this a message from you to Mr. Abramoff?

3 A. I'm sorry. What was the question?

4 Q. This line 10, is this a text from you to Mr. Abramoff?

5 A. Yes, it is.

6 Q. When you write "Don't worry about the way I wrote The  
7 Proposal. I wrote it so that it looks like only if they reject  
8 the commercial then we do all these things but forget," are you  
9 responding to Mr. Abramoff's request?

10 A. Yes, I am.

11 Q. All right. And let's do the next line just for  
12 completeness, line 11.

13 When you write "It all looks fine. I think I don't care  
14 if somebody gets this. Who cares?" what are you referring to  
15 there?

16 A. That's from me to Jack, yes.

17 I'm referring to I don't think that it -- I just say, "Who  
18 cares?" I didn't care if it -- I thought it looked fine.

19 Q. And following this exchange with Mr. Abramoff, did you  
20 submit updated drafts of the proposal to Mr. Fenster?

21 A. Mr. Fenster and I were exchanging these proposals all the  
22 way through. He was part of writing it.

23 Q. And what did you tell him about the rejection campaign and  
24 the plan?

25 A. We discussed that -- you know, I was honest with Chet

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1 because he was working for me; and I said that, you know,  
2 there's a -- you know, the -- there were several contingencies;  
3 and I told him that -- you know, that the rejection campaign  
4 was not the first strategy. I told him that the primary  
5 strategy was to do the Super Bowl ad.

6 **Q.** Was that different than what you and Mr. Abramoff were  
7 discussing?

8 **A.** Yes, it is.

9 **MR. WARD:** All right. Can we look at Exhibit 1029,  
10 please.

11 **Q.** Is this a WhatsApp exchange between you and Mr. Abramoff?

12 **A.** Yes, it is.

13 **MR. WARD:** Move to admit Exhibit 1029.

14 **MR. SHEPARD:** No objection.

15 **THE COURT:** 1029 will be admitted.

16 (Trial Exhibit 1029 received in evidence.)

17 **BY MR. WARD:**

18 **Q.** Mr. Abramoff writes [as read]:

19 "Where are we on getting it submitted to NBC?  
20 I'll get you an email in a few minutes, but we need  
21 to get it in and rejected ASAP."

22 At this point in time, was Mr. Abramoff pressing you to  
23 get the ad submitted to NBC?

24 **A.** Well, quite frankly, the ad did not exist yet, so I didn't  
25 even know what he was talking about here. You have to actually



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1 submit the commercial to have them review it; and if you don't  
2 have the commercial, you can't -- you can't have anything  
3 rejected, accepted, or even reviewed. They need to see the  
4 final product.

5 Q. Okay. And, to your knowledge, was a Super Bowl ad  
6 created?

7 A. No, it wasn't.

8 Q. No. Was a Super Bowl advertisement created with actors?

9 A. No. The -- the commercial that they had specified or that  
10 they were contemplating had not been produced or created. So  
11 it was still only a piece of paper with a few photos on it.

12 Q. Sorry. I should be more clear.

13 After this point, was a Super Bowl commercial actually  
14 created?

15 A. After the 25th, yes; but I think it was well into February  
16 before it was actually created, if I'm not -- my memory is not  
17 exact on that. But it was not created at this point in time  
18 when he's asking me to submit it to NBC.

19 Q. I see.

20 When you were having these discussions with Mr. Abramoff,  
21 did you also have discussions with Mr. Andrade?

22 A. On occasion when Jack and I were together, we'd call him.  
23 Jack and I were spending a lot of time together. He was living  
24 in L.A., and we were working on several other things at the  
25 same time.

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1 Q. Was Mr. Andrade aware of the efforts to get the Super Bowl  
2 ad rejected?

3 A. Yes. Mr. Abramoff told me that it was the decision of  
4 Mr. Andrade that this --

5 MR. SHEPARD: Objection.

6 THE WITNESS: -- rejection campaign --

7 MR. SHEPARD: His answer is Mr. Abramoff saying that's  
8 what Mr. Andrade said.

9 THE COURT: Is that coming in under -- what's the  
10 basis for that answer being admitted?

11 MR. WARD: Mr. Abramoff's statements would be  
12 co-conspirator statements.

13 THE COURT: Well, right.

14 MR. SHEPARD: If that's the basis for admission --

15 THE COURT: I believe that's the basis.

16 MR. SHEPARD: -- fine.

17 THE COURT: Go ahead.

18 THE WITNESS: Thank you, Your Honor.

19 BY MR. WARD:

20 Q. What did Mr. Abramoff tell you about Mr. Andrade's  
21 knowledge of the Super Bowl rejection campaign?

22 A. That Mr. Andrade had decided that they wanted to -- he was  
23 the decision-maker amongst the two of them on this particular  
24 issue, I guess, due to the extensive cost of a \$5 million,  
25 30-second spot on the Super Bowl, and that Mr. Andrade had

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1 decided he preferred to -- his decision was to go with the  
2 rejection -- with what they were calling a rejection campaign.

3 **Q.** Did you discuss this directly with Mr. Andrade?

4 **A.** I was on conference calls, and it was discussed in several  
5 calls and chats, yes.

6 **Q.** And in these conference calls and chats, these were  
7 conference calls and chats in which Mr. Andrade was present?

8 **A.** Right. On the conference calls, yes.

9 **MR. WARD:** All right. Can we pull up Exhibit 432.

10 **Q.** Is this an email from you -- from Marcus Andrade to you?

11 **A.** Yes, it is.

12 **Q.** Is this an accurate representation of that email?

13 **A.** Yes. I asked him to write this.

14 **MR. WARD:** Can we admit Exhibit 432? Move to admit  
15 Exhibit 432.

16 **MR. SHEPARD:** No objection.

17 **THE COURT:** 432 will be admitted.

18 (Trial Exhibit 432 received in evidence.)

19 **MR. WARD:** Can we highlight the "to" and "from" line  
20 and then the -- we can just leave it like this, actually.

21 **Q.** Did this -- did Mr. Andrade send you this email?

22 **A.** Yes, sir.

23 **Q.** And at the time he sent it, did he, to your knowledge,  
24 understand that the plan was to have the Super Bowl ad  
25 rejected?

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1           **MR. SHEPARD:** Objection.

2           **THE COURT:** Sustained.

3           **BY MR. WARD:**

4           **Q.** What did you understand was the purpose of this email?

5           **MR. SHEPARD:** Objection.

6           **THE COURT:** Sustained.

7           **BY MR. WARD:**

8           **Q.** Does Mr. Andrade ask you to please -- when Mr. Andrade  
9           says "please proceed representing us with Comcast/NBC and  
10          report to me as soon as you can," was he asking you to report  
11          back once you had heard back from NBC?

12          **A.** Yes. And I drafted this --

13          **Q.** And why did you --

14          **A.** -- sent it to Mr. Andrade, and said, "You have to send me  
15          this email so that I'm authorized to initiate these  
16          discussions."

17                So I drafted this --

18          **Q.** Okay.

19          **A.** -- sent it to him, and said, "I need you to send this back  
20          to me signed and properly authorized so that Chet and I and our  
21          team are authorized to go ahead with this."

22                **MR. WARD:** We can pull out of this exhibit.

23          **Q.** Mr. Bryan, did you personally ever negotiate directly with  
24          NBC on the Super Bowl ad?

25          **A.** No, I didn't. I might have been on one conference call,

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1 but I don't believe I even contributed to that call.

2 Q. And did you ever see any -- any formal rejection or notice  
3 from NBC that NBC had, in fact, rejected the ad?

4 A. No, I didn't. And I'm not sure that the deadlines were  
5 met for actually submission, which several of the deadlines NBC  
6 had left for us were missed, missed, missed, missed, missed,  
7 and I think they were fed up with that. And I don't believe it  
8 was -- I mean, to my knowledge, it was never even reviewed or  
9 accepted or rejected, in other words.

10 Q. Following the Super Bowl, did you and Jack Abramoff  
11 discuss generating publicity about the ad not running?

12 A. We had discussed that prior to the Super Bowl because that  
13 was their decision on how to go forward. So we had discussed  
14 that, when they received the rejection, what they would do.

15 Q. And what did Mr. Abramoff tell you they would do if they  
16 received a rejection?

17 A. Well, I had submitted a proposal to them, and that  
18 proposal was to do advertising on the Super Bowl regionally  
19 instead of nationally, which is, instead of having your  
20 commercial go to 100 million while watching the Super Bowl, it  
21 goes to all the people in Washington, D.C., watching the  
22 Super Bowl or Los Angeles, New York, or any other territory.

23 Q. Did they ever adopt that strategy of advertising  
24 regionally?

25 A. No, I don't believe -- to the best of my knowledge, no.

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1 Q. Did you discuss with Mr. Abramoff promoting the rejection  
2 campaign on social media and through press releases?

3 A. Not really. I had only proposed doing this regional  
4 marketing campaign where it would be on NBC in Washington or  
5 New York or one of the markets. You'd be advertising it  
6 nationwide, except for you'd be doing it a little less -- much  
7 less than a national campaign would.

8 Q. All right. But, to your knowledge, did the NAC Foundation  
9 and Andrade spend any money on Super Bowl advertising?

10 A. No, I don't believe -- they did in creating the  
11 commercial. So I believe that was approximately, what they  
12 said was \$299,000 or something like that.

13 Q. All right. In June of 2018, did Mr. -- did Mr. Abramoff  
14 email and ask you to write a letter about the Super Bowl ad and  
15 the efforts to get the Super Bowl ad run?

16 A. I believe in May or so, Jack and I were together  
17 somewhere -- I'm not sure where -- and he asked me to do him a  
18 favor, would I write a letter summarizing what had happened in  
19 the Super Bowl.

20 Q. Following that conversation, did he send you a draft of  
21 what he wanted you to write?

22 A. Yes, he did.

23 MR. WARD: Can we look at Exhibit 434.

24 Q. Looking at this document, Mr. Bryan, is this an email  
25 chain between you and Mr. Abramoff?

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1     **A.**    Yes, it is.

2     **Q.**    And have you reviewed this prior to the testimony here  
3     today?

4     **A.**    Yes, I have.

5     **Q.**    Does this accurately reflect the conversation you had with  
6     Mr. Abramoff by email at this time?

7     **A.**    Yes, it does.

8           **MR. WARD:**   Move to admit Exhibit 434.

9           **MR. SHEPARD:**   No objection.

10          **THE COURT:**   434 will be admitted.

11          (Trial Exhibit 434 received in evidence.)

12          **MR. WARD:**   All right.   Can we highlight the bottom  
13     email from Mr. Abramoff.

14     **Q.**    Mr. Bryan, do you see the "subject" line?

15     **A.**    Yes, I do.

16     **Q.**    It says "For letterhead/signature/PDF ASAP" and then  
17     contains some text below that.   What is this text?

18     **A.**    That was his request for me to take this and put it on my  
19     letterhead and sign it and send it back to him.

20     **Q.**    Okay.   And, first of all, who's Eric Olsen?

21     **A.**    I didn't know.

22     **Q.**    Looking at the text, looking at the bottom paragraph, do  
23     you see where it says [as read]:

24           "Based on my past experience, I recommended that  
25     the company attempt to secure a slot to air an ad

1 during the Super Bowl"?

2 Does that refer to the efforts to get the ad placed in the  
3 Super Bowl?

4 **A.** Can I just read this quickly one more time?

5 **Q.** Sure.

6 **A.** (Witness examines document.) It's saying that -- what was  
7 your question again? Sorry.

8 **Q.** Does this refer to the efforts to create and submit a  
9 Super Bowl ad to NBC?

10 **A.** Yes. It misstates it completely, but, yes, it's his  
11 proposal of what I should say.

12 **Q.** And why does it misstate?

13 **A.** Because it says I recommended that the company secure a  
14 slot to air an ad on the Super Bowl.

15 They came to me with the proposal. I never considered  
16 this to be an option.

17 **MR. WARD:** All right. Can we pull out of this and go  
18 to the next page.

19 You can just highlight the entire text.

20 **Q.** Do you see the paragraph that says [as read]:

21 "We pressed as hard as we could, but were never  
22 able to get the commercial approved, unfortunately,  
23 in time for broadcast . . . ."

24 **A.** Yes.

25 **Q.** Is that an accurate representation of what actually



1 happened?

2 **A.** I don't think it -- I mean, it's certainly not accurate.  
3 If you're asking is that an accurate representation, I don't  
4 believe it is. We did -- no, I don't believe it is an accurate  
5 representation.

6 **Q.** All right. If you can go to the paragraph above, do you  
7 see it says [as read]:

8 "With the commercial in hand, we worked with our  
9 associates at Group M to get the network to accept  
10 our commercial, but we were warned that with the NFL  
11 having turned down advertising from a veterans  
12 organization related to standing for the National  
13 Anthem, the path may be complicated"?

14 Is that accurate?

15 **A.** No. I never heard any of that.

16 **MR. WARD:** Okay. Can we pull out of this document,  
17 please.

18 And can we now go to Exhibit 4- -- wait. Sorry. Back to  
19 434. I'm sorry. I wasn't done with that one yet.

20 Can we -- can we highlight from the line "Fine" down to  
21 about halfway through the page.

22 **Q.** Do you see where you write [as read]:

23 "Can you give me Eric's email address so I can  
24 send it directly?"

25 **A.** Yes, I do.

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1 Q. Are you referring there to the Eric Olsen in the header of  
2 that proposed letter?

3 A. Yes.

4 Q. And then when Mr. Abramoff says, "No, send it to me. I am  
5 getting to Marcus and he'll get it to his lawyer," what is --  
6 does this refresh your recollection as to who this letter was  
7 being sent to?

8 A. Not really, because I thought he was saying, "Send it to  
9 me, I'll send it to Marcus, and then Marcus will send it to his  
10 lawyer for review before he sends it to Mr. Olsen."

11 I had no idea that Mr. Olsen, at that point in time, was a  
12 lawyer. So I thought they were taking an extra step of  
13 reviewing it with their own lawyers.

14 MR. WARD: All right. Can we pull out of this  
15 document and now go to Exhibit 433.

16 Q. What is this document?

17 A. This is the one that I -- this is the document that I sent  
18 to Jack on letterhead, signed, as he had requested.

19 Q. And you've reviewed this document prior to testifying here  
20 today?

21 A. Yes, I have.

22 Q. Is this an accurate representation of the letter that you  
23 drafted?

24 A. Yes, it is.

25 MR. WARD: Move to admit Exhibit 433.

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1           **MR. SHEPARD:** No objection.

2           **THE COURT:** 433 will be admitted.

3           (Trial Exhibit 433 received in evidence.)

4           **MR. WARD:** All right. If we could look, again, at the  
5 top part of the letter, who it's addressed to and the header.

6           **Q.** And this letter was addressed to Eric Olsen, Esquire?

7           **A.** Yes, it is.

8           **Q.** All right. And at this point, do you know who Mr. Olsen  
9 is?

10          **A.** I didn't know Garman Turner Gordon. I didn't know Eric  
11 Olsen. I don't believe I'd ever met him. So I didn't know who  
12 he was or what his purpose was. I was just told to write it to  
13 that gentleman.

14          **MR. WARD:** If we could back out of this, please.

15          Can we -- can we highlight the bottom paragraph.

16          **Q.** When you wrote, "Watley worked with Group M (the company  
17 that had more experience than any other in placing ads during  
18 the Super Bowl and could get us the best price), and we also  
19 worked directly with NBC, the network with the rights to air  
20 the event. It was immediately clear that, without a fully  
21 produced" --

22          **THE COURT:** You should slow down a bit.

23          **MR. WARD:** Sorry.

24          **Q.** -- "it was immediately clear that, without a fully  
25 produced commercial, we would not be considered for broadcast

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1 by the network," is that accurate?

2 **A.** Yes, to the best -- that's what I believed was the case.

3 **MR. WARD:** Can we go to the next page, please.

4 Can we highlight the paragraph that says -- starting "With  
5 the commercial in hand" and then the next paragraph.

6 **Q.** Is this paragraph that says "With the commercial in hand,"  
7 is that the same language that was in the draft from  
8 Mr. Abramoff?

9 **A.** Yes --

10 **Q.** And, again --

11 **A.** -- it is.

12 **Q.** Again, was this an accurate representation of what  
13 happened?

14 **A.** I don't believe it is. I don't believe it is an accurate  
15 representation.

16 **Q.** And you've reviewed this prior to testifying. Anywhere in  
17 this letter did you disclose that there was a campaign to get  
18 the Super Bowl rejected?

19 **A.** No.

20 **Q.** Not to get the Super Bowl rejected. To get your  
21 Super Bowl ad rejected. Excuse me.

22 **A.** Correct. No.

23 **MR. WARD:** All right. Can we pull out of this.

24 **Q.** And do you see at the bottom, is that your signature?

25 **A.** Yes.

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1 Q. And who did you send this letter to?

2 A. I sent it to Jack.

3 Q. All right. I want to switch topics, if I could.

4 In May of 2018 --

5 MR. WARD: We can pull this document down.

6 Q. In May of 2018, did AML BitCoin begin trading on any  
7 cryptocurrency exchanges?

8 A. Yes, it did.

9 Q. Which exchanges did it start trading on around this time?

10 A. I believe -- I don't remember precisely, but I believe it  
11 started on two exchanges. One was called the IDAX, and one was  
12 called Extremities. I don't really remember the actual name of  
13 it, but it was a name like that.

14 Q. When the coins started -- when the tokens started trading,  
15 were you following the trading activity on the exchanges?

16 A. Yes, I was.

17 Q. And during this time, how was the -- how was -- how was  
18 the price and volume on the -- of the trading?

19 A. If I can just elaborate a little bit.

20 We had engaged a very expert fund and experts in the  
21 campaigns, publicity, and all of the expertise that was  
22 necessary to advise and to put together proposals for  
23 publicizing and doing a proper ICO, and they were under my  
24 umbrella as, like, Chet Fenster was and other people were.

25 Q. Let me just stop you. I just asked you, did once the

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1 token was trading, did you watch the trading on the exchanges?

2 A. Yes. The experts were watching it constantly.

3 Q. All right. And what did -- what did you see in terms of  
4 how the price and volume was doing at the time?

5 A. It was extremely disappointing.

6 Q. In what -- in what sense?

7 A. There was no buyers. They had not generated any activity  
8 amongst their -- all these people that were in their community,  
9 and none of them came in to buy. So it was a very, very  
10 disappointing ICO, initial coin offering, if you will.

11 Q. At this point or shortly thereafter, did you discuss with  
12 Mr. Abramoff or Mr. Andrade ways to boost the volume or boost  
13 the price of trading on the exchange?

14 A. Yes, I did.

15 Q. And did you propose -- what did you propose that  
16 Mr. Abramoff and Mr. Andrade do?

17 A. We proposed an elaborate multipoint campaign that included  
18 publicity -- publicity, campaigns that would be involved in going  
19 directly to retail investors, institutional investors, and  
20 creating a real robust group of people that would be buying and  
21 selling and trading in this security and that would increase  
22 the liquidity and trading volume.

23 Q. Did you work with your associates at The Watley Group and  
24 elsewhere to draft a proposal along these lines?

25 A. Yes, I did. With our -- with our experts in the publicity

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1 side, we put forward a proposal to Marcus and to Jack.

2 **MR. WARD:** And let's look at Exhibit 1034, please,  
3 just for the witness and the parties.

4 **Q.** Is this a WhatsApp conversation exchange between you and  
5 Mr. Abramoff?

6 **A.** Yes, it is.

7 **Q.** In one of these WhatsApps, did you send Mr. Abramoff a  
8 document called "Watley Cryptocurrency Trading Platform  
9 Business"?

10 **A.** Yes.

11 **Q.** And did he send you a response that said "JA Notes" with a  
12 document attached?

13 **A.** Yes.

14 **MR. WARD:** And going through this document, please, if  
15 we could scroll through a couple of pages.

16 **Q.** Did you review this document prior to testifying here  
17 today?

18 **A.** Yes, I did.

19 **Q.** Does this document accurately reflect the WhatsApp  
20 exchange and the two attachments that you exchanged with  
21 Mr. Abramoff?

22 **A.** Yes, it does, and I believe one of them has his comments  
23 on it or responses.

24 **MR. WARD:** Okay. Can we -- the Government moves to  
25 admit Exhibit 1034.

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1           **MR. SHEPARD:** No objection.

2           **THE COURT:** 1034 will be admitted.

3           (Trial Exhibit 1034 received in evidence.)

4           **MR. WARD:** Let's go back to the first page and look at  
5 the exchange.

6           **Q.** Mr. Bryan, again, is this the exchanging of documents with  
7 you and Mr. Abramoff?

8           **A.** Yes, it is.

9           **MR. WARD:** Okay. Let's pull out of this.

10          If we could go down about five pages, please. Keep going  
11 down.

12          **Q.** All right. Is this the original draft that you sent  
13 Mr. Abramoff?

14          **A.** Yes, it is.

15          **Q.** Was this the proposal you created -- well, let me  
16 highlight paragraph 3, please, "We propose."

17          [As read]:

18               "We propose deploying this system to immediately  
19 bolster and hypercharge the market position of  
20 AML BitCoin . . . ."

21          Is that an accurate summary of what you're proposing in  
22 this memo?

23          **A.** Yes. It's hyperbole, but yes, it does accurately reflect  
24 it.

25          **MR. WARD:** All right. If you pull back out of it.



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1 If we can highlight the bottom half starting with "There  
2 are 5."

3 **Q.** The first bullet point there says "Earned Media." What  
4 are you proposing here?

5 **A.** This is just standard, giving information to the public at  
6 large through the major distribution -- media distribution  
7 companies and giving them information about your progress,  
8 milestones, and what you're doing in your company.

9 **Q.** Okay. And do you see Number 2 where it says "Market  
10 Makers"?

11 **A.** Yes, I do.

12 **MR. WARD:** All right. Can we pull out of this and go  
13 to the next page, please.

14 **Q.** Looking at Number 3, do you see where it says "Chat  
15 rooms"?

16 **A.** Yes, I do.

17 **Q.** About halfway through, you say [as read]:

18 "You should continue your AMA, but we need a  
19 vigorous echo chamber. Plus, our chat teams can say  
20 things that you cannot - or would not . . . ."

21 What are you proposing to do here?

22 **A.** In the chat rooms, the -- introducing -- these chat rooms  
23 are cryptocurrency chat rooms where people talk to each other,  
24 meet each other and discuss their holdings, what they're buying  
25 and selling, what they like, what they don't like; and being

1 very active in those rooms where you are introducing people to  
2 AML BitCoin, since nobody had ever heard of it, it would be  
3 very positive to convert some of those people in the chat rooms  
4 into buyers.

5 **Q.** Do you have -- did you, at the time, have people working  
6 for you that could post in chat rooms?

7 **A.** I did.

8 **Q.** You write [as read]:

9 ". . . Watley had a total of 10 people in a  
10 small call center in the Philippines."

11 Does that refer to the people that could write chats for  
12 you?

13 **A.** Yes.

14 Let me just read that for one second.

15 (Witness examines document.) Yes, that is accurate.

16 **Q.** Looking at the sentence above, you say [as read]:

17 ". . . our chat teams can say things that you  
18 cannot - or would not - since they are on their own."

19 Do you see that?

20 **A.** Yes.

21 **Q.** As part of this proposal, would the people that you would  
22 be -- in the Philippines that would be posting in these chat  
23 rooms, would they identify themselves as being from  
24 AML BitCoin?

25 **A.** No. They would identify themselves as being one of the

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1 community.

2 Q. Were they -- did -- would they identify themselves as  
3 being purchasers or investors?

4 A. Yes. Or they would really not propose whether they were  
5 investors or buyers. What they would do is educate the  
6 community and they'd say, "Have you guys heard of this? Do you  
7 guys know how great this is? Wow, I think I may go buy it,"  
8 and they really try to influence.

9 Q. Got it.

10 MR. WARD: If we could pull out of Number 3, please.

11 Q. Number 4 says "Institutions." What does that refer to?

12 A. Well, I think the most important part of our whole process  
13 was to institutionalize the ownership base of AML BitCoin so  
14 that it included real bona fide -- this is, supposedly, the  
15 AML/KYC, we're just like Morgan Stanley. Well, let's bring in  
16 Morgan Stanley.

17 And so this was the real major plank of our process, which  
18 was to create institutional interest and bring real  
19 institutional investors into this trading and to buy -- to buy  
20 it.

21 Q. Got it.

22 MR. WARD: Can we pull out of that, please.

23 And we can go to the next page, please.

24 Can we highlight the paragraph 2, "Market Making."

25 Q. You write -- you submitted to them [as read]:

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1 "Watley will become your first market maker and  
2 create more over time. You should budget about  
3 100,000 coins per month in this program for  
4 six months."

5 What are you proposing they budget a hundred thousand  
6 coins for?

7 **A.** There's a considerable cost. Very common in the  
8 cryptocurrency world is to use the coins to incentivize people  
9 to purchase, and you do that by giving it to them, giving it to  
10 communities. There's things called airdrops and other things.

11 But in this particular case, what we were proposing to do  
12 is to pay institutional investors to, hey, take a good look at  
13 this. Often if somebody's doing due diligence on a deal, they  
14 want to be paid to do that.

15 **Q.** And were you giving them coins to trade those coins on the  
16 exchanges?

17 **A.** Two things.

18 **MR. SHEPARD:** Objection.

19 **THE WITNESS:** Oh, sorry.

20 **MR. SHEPARD:** Objection. Leading. He gave very --

21 **THE COURT:** Sustained.

22 **BY MR. WARD:**

23 **Q.** What did you want the people you were giving the tokens to  
24 to do with those tokens?

25 **A.** I wanted them to do two -- to -- to hold -- our main first

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1 client was our group called Polyblock, which was the group that  
2 we had engaged to put together this proposal; and Polyblock was  
3 a major fund in the cryptocurrency space and they were major  
4 investors in many cryptocurrencies.

5 So, for example, with them, we would give them a block  
6 of -- of the coins, and that would incentivize them to really  
7 look deeply into it, to evaluate it, and to start buying and  
8 selling and trading in the cryptocurrency.

9 **MR. WARD:** All right. If we could back out of this,  
10 please.

11 And could we pull up Exhibit 902. And if we could  
12 highlight in 902, please --

13 **Q.** Well, let me first ask you. Is this a WhatsApp  
14 conversation between you and Jack Abramoff?

15 **A.** Yes, it is.

16 **Q.** And have you reviewed this WhatsApp chain prior to  
17 testifying here?

18 **A.** Yes, I have.

19 **Q.** And is it an accurate reflection of your conversation at  
20 that time with Mr. Abramoff?

21 **A.** Yes, it is.

22 **MR. WARD:** We move to admit Exhibit 902.

23 **THE COURT:** 902.

24 **MR. SHEPARD:** It has some co-conspirator statements in  
25 it. If they're admitted on that basis, I don't have any

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1 objection.

2 **MR. WARD:** That's correct.

3 **THE COURT:** 902 will be admitted.

4 (Trial Exhibit 902 received in evidence.)

5 **THE COURT:** Is this a good time to take the short  
6 break before -- how much more time do you have on direct?

7 **MR. WARD:** A bit. 20 minutes maybe.

8 **THE COURT:** All right. Okay. Let's go ahead and take  
9 a bit of an early break.

10 Remember, members of the jury, my admonitions. Do not  
11 discuss this amongst yourselves or with anyone else. Don't  
12 talk about it.

13 We'll see you back at about five of.

14 (Recess taken at 9:39 a.m.)

15 (Proceedings resumed at 9:58 a.m.)

16 (Proceedings were heard out of the presence of the jury.)

17 **THE COURT:** Okay.

18 **MR. WARD:** Ready.

19 (Proceedings were heard in the presence of the jury.)

20 **THE COURT:** The jury is present.

21 You may proceed, Mr. Ward.

22 **BY MR. WARD:**

23 **Q.** Mr. Bryan, we are looking at Exhibit 902, which has been  
24 admitted.

25 **MR. WARD:** Can we please highlight the first two

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1 conversations down through the green -- the first green box.

2 Q. Is this an instant message conversation between you and  
3 Jack Abramoff?

4 A. Yes, it is.

5 Q. Mr. Abramoff writes [as read]:

6 "I had a chance to review things with Marcus.  
7 Here is what he is willing to do. He will sell  
8 500,000 ABTC for \$1 a token. He is willing to leave  
9 250,000 of that with you to be used for the  
10 program . . . ."

11 What is Mr. Abramoff referring to here?

12 A. He's referring to the -- the advertising and publicity  
13 program that we had recommended with Quintin and our  
14 publicity -- our team. And I believe we had asked for  
15 considerably more than that, but he's saying that he will only  
16 agree to 500,000.

17 Q. Well, in the next sentence, he writes [as read]:

18 "So, you will have a budget of \$250,000 to  
19 effect a significant change in the volume and, more  
20 importantly, the price of the token."

21 What is he referring to there?

22 A. Well, it's a misnomer because what he's ask -- what he's  
23 saying here is he will sell us 500,000 for a dollar. So we're  
24 actually going to pay for those. And then he's saying, "So you  
25 have a budget of 250,000 of something that you bought from us."

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1 It doesn't really make sense, to be honest.

2 **Q.** When he says --

3 **A.** What he's saying is --

4 **Q.** When he says "You will have a budget of 250,000 to effect  
5 a significant change in the volume and, more importantly, the  
6 price of the token," what is he asking you to do?

7 **A.** He's asking us to spend the 250,000 to significantly  
8 change the volume and the -- and, therefore, affect the price  
9 of the token.

10 **Q.** Okay. And you write [as read]:

11 "Okay. Great. Let me give -- let me work on  
12 this and see what I can do."

13 Did you then work with any of your contacts to effect a  
14 significant change in the volume and price of the market?

15 **MR. SHEPARD:** Objection.

16 **THE WITNESS:** Yeah.

17 **MR. SHEPARD:** He's now mischaracterizing --

18 **THE COURT:** Wait, wait.

19 **MR. SHEPARD:** He mischaracterized the witness's  
20 answer.

21 **MR. WARD:** I just asked him if you work with your  
22 contacts to --

23 **THE COURT:** Why don't you start again. Ask a new  
24 question -- or ask the question again so I can hear it.

25 \\\



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1 **BY MR. WARD:**

2 **Q.** Following this, did you use that budget, Mr. Bryan, to  
3 effect a significant change in the volume and, more -- to  
4 attempt to effectively -- to effect a significant change in the  
5 volume and price of the coin?

6 **A.** Well, what I did -- actually, what I was saying is that I  
7 would work on it and see if this proposal they were making was  
8 even a start -- whether it was a non-starter or whether we  
9 could actually have any impact --

10 **Q.** Okay.

11 **A.** -- for that low an amount of money.

12 **Q.** Great.

13 **MR. WARD:** Well, let's go -- pull out of this, and can  
14 we highlight the next series of chats that starts with "The  
15 token" and goes through the "Let me show you what happens."

16 Down a little farther.

17 **THE WITNESS:** Yes.

18 **BY MR. WARD:**

19 **Q.** Do you see Mr. Abramoff, when he says "The token is down  
20 to 73 cents," what is he referring to?

21 **A.** He's referring to the price, the market price and the most  
22 recent trade for the AML BitCoin coin, for the -- for the  
23 trades.

24 **Q.** All right. Then you respond [as read]:

25 "Let me work on it now. Hold on."

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1 And then at the bottom, you write [as read]:

2 "Let me show you what happens. We buy and then  
3 we get S on. I will push it up and you can watch  
4 it."

5 What are you saying there?

6 **A.** Quintin and I are communicating constantly. He's actually  
7 trading and looking at every bid, every offer, every sale  
8 offer, every buy offer. He's constantly monitoring that. And  
9 so Quintin is giving me real time, and I'm looking at it on my  
10 screen. So he's indicating to me exactly what's happening.

11 **Q.** And who's Quintin?

12 **A.** Quintin is the head of Polyblock Capital -- or the head of  
13 trading for Polyblock Capital, and he's the one that we've  
14 engaged their team to do the entire program of publicity and  
15 those things.

16 **Q.** And did you provide them with AML BitCoin Tokens provided  
17 to you by Mr. Abramoff and Mr. Andrade?

18 **A.** Yes, but not at this stage. This is --

19 **Q.** All right.

20 **A.** He's only offered this two minutes before. I think this  
21 is merely minutes later. So we've never received anything yet.  
22 This is just our report on what's actually happening now.

23 **MR. WARD:** Okay. Can we go to the next page, then,  
24 and highlight the top three texts.

25 **Q.** At the time when you write "There is no buying at all,"

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1 what are you referring to?

2 **A.** I'm referring to the marketplace, not unlike New York  
3 Stock Exchange or NASDAQ or any of the others where you have  
4 buying and selling taking place. When you have buying and  
5 selling taking place, you theoretically have buyers and you  
6 have sellers. And in this case, what I was referring to here  
7 is that there was absolutely nobody buying.

8 **Q.** All right. And when you say "here," what specific trading  
9 are you talking about?

10 **A.** AML BitCoin, to be specific.

11 **MR. WARD:** All right. Can we pull out of this.

12 **Q.** I know you've reviewed this prior to your testimony. Does  
13 this reflect your ongoing conversation with Mr. Abramoff at  
14 this time?

15 **A.** Yes, it does.

16 **MR. WARD:** All right. Can we go to page 4, please.

17 And can you highlight from the top text down through --  
18 down through "And one at .65."

19 **Q.** When you write "I just did a trade with myself," what do  
20 you mean?

21 **A.** It means that Quintin just relayed to me that he had done  
22 a trade between his own accounts.

23 **Q.** And then down further you say [as read]:

24 "I bought it and I sold it to show some volume.

25 I did 10,000."

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1 What do you mean there?

2 **A.** Quintin had told me that he'd done trades for 10,000  
3 coins.

4 **MR. WARD:** All right. Can we back out of this,  
5 please, and then do the next segment down through "important to  
6 see we are fighting."

7 **Q.** When you write -- you write [as read]:

8 "For 10,000 people get more confident. It is  
9 important for everyone to see what we are fighting."

10 What are you referring to there?

11 **A.** What I'm referring to is when a -- when the people who are  
12 watching the buying and selling, when they see a trade go  
13 through for 10,000 coins, it's more significant. 20,000 is  
14 more. If you see a 50,000 go through, it gives you more  
15 confidence that a slightly more institutional level of trading  
16 is starting to take place.

17 **MR. WARD:** Okay. Can we back out of this, please, and  
18 just go back to the top text again.

19 **Q.** Where you say [as read]:

20 "I just did a trade with myself at 3 cents."

21 So are you just trading --

22 **A.** I believe that's a typo. It's not possible that that took  
23 place at 3 cents when previously I said it was trading at  
24 95 cents. So I must have made a mistake in writing.

25 **Q.** But in terms of the "I did a trade with myself," what does

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1 that mean?

2 **A.** What it means is between -- Quintin had set up five  
3 different accounts, and some of those accounts -- I'm not --

4 **MR. WARD:** We can back out, because I think you're --  
5 Just do four or five texts. The four or five from the  
6 top.

7 **THE WITNESS:** Sorry. Now I see.

8 **BY MR. WARD:**

9 **Q.** So where you write "Sorry. 95 cents" --

10 **A.** Yes.

11 **Q.** -- is that a reference to the typo?

12 **A.** Yes.

13 **Q.** It's not 3 cents; it's at 95 cents?

14 **A.** It's not 3 cents. It was 95.

15 **Q.** But, again, you write [as read]:

16 "I just did a trade with myself . . . ."

17 And below, you say [as read]:

18 "I bought and sold it."

19 Were you --

20 **A.** Correct.

21 **Q.** You said -- you just said that Polyblock had set up five  
22 different accounts?

23 **A.** Correct.

24 **Q.** Were they trading among those accounts?

25 **A.** Yes. They put money into those accounts. It's a fund.

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1 They have \$500 million worth of assets, and they're a major  
2 cryptocurrency fund. So they put -- they have to put some of  
3 their own money into those accounts because I don't believe we  
4 had the 250,000 yet. You know, this is -- they had just  
5 approved this five minutes ago, so we didn't -- I don't --  
6 I believe this is all part of the same conversation.

7 **Q.** Was it your understanding, though, that Polyblock was just  
8 trading between the accounts it had created?

9 **A.** Between their own accounts, correct.

10 **Q.** So it wasn't trades with -- was it trades with outside  
11 buyers or just --

12 **A.** No. Just a trade within his own five accounts that he had  
13 set up. He probably had hundreds of accounts, in reality.

14 **Q.** What was -- what was the purpose, as you understood it, of  
15 trading between your own accounts?

16 **A.** Because he's -- his intent was just to show volume. Just  
17 as it said there, "to show some volume."

18 **Q.** And when you say "show volume," show volume to who?

19 **A.** People that were looking and watching this trading would  
20 see more volume.

21 **Q.** And what would be the advantage -- what did you understand  
22 would be the advantage of people seeing more volume in the  
23 trading and --

24 **A.** More -- when there's more liquidity, it gives people more  
25 confidence to be able to -- if somebody's buying one of these,

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1 the one thing they want to know is that they can sell it. And  
2 so if they have confidence that there's more buying and  
3 selling, it brings more buyers and sellers into the market.

4 **Q.** And was it your intention to create that impression by  
5 having these accounts trade among themselves?

6 **A.** Say that again.

7 **Q.** Was it your intent to create that impression that there  
8 was more volume by having these accounts trade among  
9 themselves?

10 **A.** Yes, exactly.

11 **Q.** Can we --

12 **A.** That was the purpose of him setting up five accounts for  
13 him to be able to trade.

14 **MR. WARD:** Okay. Can we pull out of this document,  
15 please, and pull up, just for the witness, Exhibit 1151.

16 **Q.** Do you see this document?

17 **A.** Yes, I do.

18 **Q.** Did you review this prior to your testimony today?

19 **A.** Yes, I did.

20 **Q.** Is this a document you created?

21 **A.** Quintin wrote it, and I probably made some edits to it.  
22 This is the Polyblock plan.

23 **Q.** Okay. And is this an accurate reflection of the plan you  
24 had with Polyblock?

25 **A.** Yes.

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1           **MR. WARD:** We move to admit Exhibit 1151.

2           **MR. SHEPARD:** I seem to be missing my own copy. If I  
3 could just have a moment, Your Honor. Thank you.

4                               (Pause in proceedings.)

5           **MR. SHEPARD:** I think we're all missing it.

6           **MR. WARD:** It's on the screen.

7           **MR. SHEPARD:** I know, but it's -- is it only one page?

8           **MR. WARD:** It's -- I think it's two pages.

9           **MR. SHEPARD:** Okay. If you can just let me see the  
10 other page.

11                           (Pause in proceedings.)

12           **MR. SHEPARD:** Okay. And then back to page 1, if I  
13 could.

14                           (Pause in proceedings.)

15           **MR. SHEPARD:** No objection.

16           **THE COURT:** Exhibit 1151 will be admitted.

17                           (Trial Exhibit 1151 received in evidence.)

18           **MR. WARD:** Can we highlight just the title and the top  
19 paragraph, please.

20           **Q.** What does the term "Project Sunshine" mean?

21           **A.** That's what Quintin called it.

22           **Q.** Okay.

23           **A.** It was just a...

24           **Q.** And the next paragraph, does that refer to the plan that  
25 you've just been testifying to as to trading in AML BitCoin



1 Tokens?

2 A. Yes.

3 MR. WARD: Can we back out of this, please.

4 Can you go down and highlight the paragraph "We will set  
5 up" and then go through the next paragraph as well.

6 Q. What did you mean when you say "We will set up 10 trading  
7 accounts on the 2 current exchanges with a focus on IDAX"?

8 A. That's what -- that's exactly what Quintin did, set up ten  
9 trading accounts. I'm sure they were existing trading accounts  
10 that he already had, so he didn't really need to set them up.  
11 But I believe they were -- you know, that that's part of their  
12 business.

13 Q. Okay. When you write and the document says "The goal is  
14 to trade approximately U.S. 50,000 to 70,000 per day" --

15 A. Right.

16 Q. -- what trading are you talking about?

17 A. That's the goal of Polyblock, to actually do that much  
18 volume per day.

19 Q. And was the goal to trade between these ten accounts that  
20 were created?

21 A. Partially, but also to -- you know, they were being  
22 compensated and would also be buying for their own account.

23 Q. All right.

24 A. So it was a combination of the two, buying for their own  
25 account and also trading amongst their own accounts.

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1 Q. Trading with themselves?

2 A. Right. They still had to buy a certain amount.

3 MR. WARD: Can we pull out of this document and pull  
4 up Exhibit 1037, please.

5 That's 1057. 1037.

6 Q. Is this another WhatsApp exchange between you and  
7 Mr. Abramoff?

8 A. Yes, it is.

9 Q. And does this appear to be -- is this on May 27th, 2018?

10 A. Yes, it is.

11 Q. Have you reviewed this prior to testifying here?

12 A. Yes, I did.

13 Q. Does that accurately reflect the conversation?

14 A. Yes, it does.

15 MR. WARD: Move to admit Exhibit 1037.

16 MR. SHEPARD: No objection.

17 THE COURT: 1037 will be admitted.

18 (Trial Exhibit 1037 received in evidence.)

19 BY MR. WARD:

20 Q. All right. Let's walk through the conversation. We can  
21 do the first half of the page.

22 Mr. Abramoff writes [as read]:

23 "Well, he gave you 250,000 ABTC to get this  
24 going."

25 What is that in reference to?

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1 **A.** That's a completely inaccurate statement. If you  
2 remember, on the previous one, he said, "I'm selling you  
3 500,000," not giving. So I don't believe this was -- I believe  
4 it's referring to that proposal that he said Marcus has agreed  
5 to on the previous exhibit.

6 **Q.** Well, they gave you the tokens. Did they give you the  
7 tokens to use for trading?

8 **A.** Yes, but I had to sign a purchase agreement to get them.  
9 I agreed to buy them for a dollar.

10 **Q.** And then down below, you say [as read]:

11 "I have to sell part of them in order to buy or  
12 trade with myself."

13 **A.** Right.

14 **Q.** What are you referring to there?

15 **A.** Quintin had all of the trading accounts. I'm not really  
16 referring to myself when I'm doing that. And Quintin was the  
17 trader.

18 And in order to purchase something in the marketplace from  
19 sellers, you first have to sell to get some cryptocurrency,  
20 Bitcoin or Ethereum or other cryptocurrency, in order to buy  
21 anything. You have to sell first.

22 **MR. WARD:** Let's pull out of this and go to the next  
23 bottom half that says "I sell, then I buy."

24 **Q.** Mr. Bryan, when you write "I trade with myself. That is  
25 not new buyers or even real. It is me trading with myself" --

1     **A.**    Right.

2     **Q.**    -- what are you referring to there?

3     **A.**    Well, that's when you're purely trading between -- when  
4     Quintin is purely trading between what he said are those ten  
5     accounts; and if he's buying from Account 1 and Account 8 is  
6     buying from Account 1, he's actually paying himself and selling  
7     to himself.

8     **Q.**    So when you write "That is not new buyers or even real" --

9     **A.**    It's -- it's not real, and it's not going to impact the  
10    market to the extent you want to, which is doing real  
11    purchasing, meaning buying from unrelated people who want to  
12    sell.

13    **Q.**    And down below when you say, "We need real buyers and real  
14    traders," at the time, were there real buyers and real traders  
15    in the market for the AML BitCoin Token?

16    **A.**    There were virtually no buyers, to the best of my  
17    knowledge, and that was from my examination, from Quintin's.

18    **Q.**    Down at the bottom, Mr. Abramoff writes to you [as read]:

19            "John, I wasn't the one who proposed all of  
20            this. You did. I hope you can find a way to  
21            stabilize the price while you are working on raising  
22            the money."

23            When Mr. Abramoff says "I hope you can find a way to  
24            stabilize the price," the price of what?

25    **A.**    Because the price was going down.

BRYAN - DIRECT / WARD

1 Q. The price of --

2 THE COURT: His question is: Price of what?

3 THE WITNESS: Oh, sorry.

4 BY MR. WARD:

5 Q. The price of what?

6 A. AML BitCoin.

7 Q. Okay. And what did he mean when he wanted you to  
8 stabilize the price of AML BitCoin?

9 A. He wanted it to stop going down.

10 Q. And then he writes "while you are working on raising the  
11 money." At this time, were you trying to raise money?

12 A. Yes. Quintin was going out to all the institutional  
13 investors, and we were starting this institutional program, and  
14 we were trying to raise \$750,000 to go into buying.

15 Q. Do you believe it would have been important to keep -- to  
16 stabilize the price while you're trying to find buyers for the  
17 coin?

18 A. Yes. I mean, it's important for the price to stabilize,  
19 yes.

20 MR. WARD: Can we go to the next page.

21 And we could highlight down through "The first 3 guys"  
22 from the top.

23 A little farther down. A little farther. One -- a little  
24 more. One more.

25 There you go. Thank you.

1 Q. Mr. Abramoff writes [as read]:

2 "At this point, rather than spending time  
3 texting me, please try to do something on the coin."

4 And you reply [as read]:

5 "Jack, people cannot even get the coins out."

6 What are you referring to there?

7 A. The IDAX exchange -- a number of people went into that  
8 exchange, including Quintin and others, with their own capital  
9 in order to actually buy and sell. And then IDAX notified us  
10 that we could not re- -- we could not take the money out.

11 As an analogy, it would be like putting your money in  
12 Morgan Stanley and saying, "I want my" -- "Send my money back  
13 to my bank" and they say, "No, we can't" -- "You can't get your  
14 money back."

15 And they wouldn't give the money back, which was  
16 catastrophic.

17 Q. When you write "The first 3 guys I got in think I scammed  
18 them," what do you mean there?

19 A. Well, I got three people to go into this, and they weren't  
20 experts in the field, and suddenly they saw that their money  
21 was lost and they couldn't get it back from this exchange. So  
22 I felt that, inadvertently, I had scammed them. They couldn't  
23 get their money back --

24 Q. All right.

25 A. -- and I was horrified.

## BRYAN - DIRECT / WARD

1           **MR. WARD:** Let's back out of this and just go to the  
2 next set of texts in this chain.

3           **Q.** Mr. Abramoff writes [as read]:

4                   "John, the only chance for this to move forward  
5 is for you to keep things as close to parity as  
6 possible while you raise the 750K and then move as  
7 fast as you can."

8           When he says "while you raise the 750K," what is that  
9 referring to?

10           **A.** That's referring to what our plan was, to go raise a  
11 significant amount of investor capital from  
12 institutional-quality investors that would really be used to go  
13 in and significantly buy a lot of the -- to be a major buyer.

14           **Q.** When Mr. Abramoff says "The only chance for this to move  
15 forward is for you to keep things as close to parity as  
16 possible," is he referring to the trading in the AML BitCoin  
17 Token?

18           **A.** Yes, he is. And I believe what he means by "parity," he  
19 means as close to today's price as possible. I don't know what  
20 the price was at that time, but whatever the price was, they  
21 didn't want it to go down any more. Let me put it that way.

22           **Q.** Okay. And you respond [as read]:

23                   "Okay. But, Jack."

24           And then he says [as read]:

25                   "Otherwise, this will be over very quickly."

**BRYAN - DIRECT / WARD**

1 What does he mean?

2 **A.** Well, I think he's subtly threatening that he's going to  
3 fire all of us, I guess. I mean, I'm not sure what it means.

4 **Q.** You say [as read]:

5 "Just so you know."

6 And then Mr. Abramoff says [as read]:

7 "Stop texting on this."

8 Why did he want you to stop texting on this?

9 **MR. SHEPARD:** Objection.

10 **THE COURT:** Sustained.

11 **BY MR. WARD:**

12 **Q.** What did you understand he meant by --

13 **A.** Actually, I didn't know. I didn't think there was  
14 anything wrong with -- these were all facts.

15 **Q.** Okay. When you wrote "We have no buyers," again, are you  
16 referring to the AML BitCoin Token trading?

17 **A.** Yes.

18 **MR. WARD:** All right. Let's pull out of this  
19 document, if we could.

20 Can I have one moment?

21 (Pause in proceedings.)

22 **MR. WARD:** Can we pull up Exhibit 420, please.

23 **Q.** Do you see this email, Mr. Bryan?

24 **A.** Yes, I do.

25 **Q.** Is this an email from you and Jack Abramoff?



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1 A. Yes, it is.

2 Q. And does it include an exchange with John Bryan and Marcus  
3 Andrade?

4 A. Yes, it does.

5 Q. And was this an exchange on May 16th, 2018?

6 A. Yes.

7 MR. WARD: All right. I'd move to admit Exhibit 420.

8 MR. SHEPARD: Is that the only page? Because that one  
9 wasn't on our list either.

10 MR. WARD: Yeah, that's the only page.

11 MR. SHEPARD: That's the only page?

12 No objection.

13 THE COURT: 420 will be admitted.

14 (Trial Exhibit 420 received in evidence.)

15 BY MR. WARD:

16 Q. Mr. Andrade writes [as read]:

17 "Please send a check for 2K to John."

18 And then you respond at the top [as read]:

19 "Can he wire? I can give him a FedEx if he  
20 needs it. I still have a Board of Directors  
21 account."

22 What did you mean by that?

23 A. I was going to just give him a label, a FedEx label.

24 Q. And was Mr. Andrade paying you \$2,000?

25 A. It was for compensation to the two or three people in the

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1 Philippines that were going to go active in the chat rooms.

2 Q. Okay. And at the time, did you have people in the  
3 Philippines monitoring the AML BitCoin chat rooms?

4 A. Yes. I had trained one person quite extensively, Mary Joy  
5 Cancino, and she had spent quite a bit of time, actually, with  
6 Marcus's assistance and other people getting her training.

7 Q. And what was your instruction to the people in the  
8 Philippines chat room as it relates to --

9 A. To introduce people and give them information. I gave  
10 them all the attachments, all the business summaries that  
11 Marcus had created. I trained them on what the concept was,  
12 and so they were making it a subject matter of the chat rooms.

13 Q. Were you instructing them to post certain things about  
14 AML BitCoin?

15 A. Yes.

16 Q. What type of things were you instructing them to post?

17 A. To introduce them to it, to include some of the -- if  
18 somebody, you know, expressed interest, "Here, let me send you  
19 the documentation and some of the presentations that were  
20 related to the technology and all of the concept."

21 Q. And when you instructed these people to post, did you  
22 instruct them to post as being affiliated with AML BitCoin?

23 A. No. They were really, I would call it, posing as members  
24 of the chat room community. So just like everybody else was  
25 there, they were there.

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1           **MR. WARD:** All right. Let's pull out of this  
2 document, if we could.

3           Can we pull up Exhibit 1036, please.

4           And we can highlight the participants in the first few  
5 chats. One more down farther.

6           **Q.** Mr. Bryan, during your time working for AML BitCoin, did  
7 you monitor the Telegram channel?

8           **A.** I don't believe I ever did previously, but on this  
9 particular occasion, Quintin came to me and said, "Come into  
10 the Telegram channel and take a look at this." He was  
11 monitoring it.

12          **Q.** And just explain what a Telegram channel is.

13          **A.** Telegram is not unlike a chat room system that creates --  
14 you can have groups of many thousands of people or just one  
15 person. And it allows for communities of people to chat with  
16 each other, talk to each other, discuss what they're investing  
17 in, and like-minded cryptocurrency investors can discuss  
18 opportunities and what they're planning on doing.

19          **Q.** Is this text chain a conversation regarding the Telegram  
20 channel between you and Mr. Abramoff?

21          **A.** Yes, it is. And this is -- I believe, if I'm not  
22 mistaken, Marcus or somebody at Marcus's company had set up a  
23 chat room specifically probably called AML BitCoin.

24           **MR. WARD:** All right. Can we admit Exhibit --

25           **THE WITNESS:** I believe. And that's just to the best

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1 of my knowledge. I don't know if that's correct.

2 **MR. WARD:** Okay. Can we admit -- move to admit  
3 Exhibit 1036.

4 **MR. SHEPARD:** Two things, Your Honor.  
5 One, can we ask the witness to confine his answers --

6 **THE COURT:** Yes.

7 **MR. SHEPARD:** -- to the questions?

8 **THE COURT:** Please don't --

9 **THE WITNESS:** Sorry.

10 **THE COURT:** -- elaborate.  
11 If counsel want more information --

12 **THE WITNESS:** Yes, sir.

13 **THE COURT:** -- they'll ask the question, but focus  
14 just on the question.

15 **THE WITNESS:** Yes, Your Honor. I'm sorry.

16 **THE COURT:** Now --

17 **MR. SHEPARD:** I object to this one. It's hearsay.  
18 It's not a co-conspirator statement.

19 **BY MR. WARD:**

20 **Q.** Mr. Bryan, was this a conversation you were having with  
21 Jack Abramoff?

22 **A.** Yes, it was.

23 **Q.** Were these comments that you made to Jack Abramoff?

24 **A.** Yes, they were.

25 **MR. SHEPARD:** Same objection. It's still hearsay. It

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1 doesn't matter what Mr. Abramoff knows. He's not a defendant.

2 **THE COURT:** Well, why would statements to Mr. Abramoff  
3 be a co-conspirator statement?

4 **MR. WARD:** Well, they would be going to show  
5 Mr. Abramoff's knowledge and understanding of what was  
6 happening in these Telegram rooms.

7 **THE COURT:** Sustained.

8 **BY MR. WARD:**

9 **Q.** Okay. Let me just ask you, Mr. Bryan, did you see people  
10 in the Telegram channel commenting on AML BitCoin?

11 **A.** Yes, I did.

12 **MR. WARD:** And you can take this down.

13 **Q.** Did you -- what sort of things were the people -- do you  
14 remember the people saying in those Telegram channels?

15 **A.** There were individuals in the Telegram channel that were  
16 basically stating that AML BitCoin's trading, which was  
17 currently at 60 cents or 50 cents, and they were saying, "Just  
18 wait, everybody. It's going to go to \$1,250 very soon."

19 **Q.** And what was your concern about comments like "It's going  
20 to go to \$1,350 soon"?

21 **A.** Because it's completely absurd and it's -- it's -- it  
22 sounds -- it's -- it is reflective of a -- it's a -- it sounds  
23 like a pump-and-dump scheme that many of the cryptocurrencies  
24 had been subjected to.

25 **THE COURT:** Just --

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1           **THE WITNESS:** Yes.

2           **THE COURT:** -- answer the question.

3           **THE WITNESS:** Sorry.

4           **BY MR. WARD:**

5           **Q.** Well, let me follow up. What do you mean by a  
6 "pump-and-dump scheme"?

7           **A.** A pump-and-dump scheme --

8           **MR. SHEPARD:** It's irrelevant.

9           **THE COURT:** Well, overruled.

10          You can answer that question.

11          **THE WITNESS:** A pump-and-dump scheme is where insiders  
12 create a market that goes vastly higher very quickly; and as  
13 soon as it does, attracting everybody else to go in and buy,  
14 they are selling; and then there's no buyers and it  
15 subsequently goes back down to zero. And it's called a  
16 pump-and-dump scheme.

17          **BY MR. WARD:**

18          **Q.** Okay. Moving on, at some point did you observe trading of  
19 AML BitCoin Tokens on the HitBTC exchange?

20          **A.** Yes. It did start trading on a more substantial exchange,  
21 which was called HitBTC.

22          **Q.** And how was the trading on the HitBTC exchange?

23          **A.** I don't remember. Anemic and very poor. It did not help.  
24 It did not bring in a lot of additional buyers.

25          **Q.** All right. Did you -- when you were working with Marcus

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1 Andrade and Jack Abramoff, did you try to introduce the  
2 AML BitCoin team and project to Wall Street investors?

3 **A.** Yes, we did. We brought in a very close friend of mine  
4 from Morgan Stanley named George Getz. George asked us to hire  
5 a specific person that had worked for KKR, one of the largest  
6 investment companies in the world; and they said, "If you can  
7 convince him that this is okay, then we're interested."

8 And so we hired John Langdon, and we put together a whole  
9 institutional team to go out and market this.

10 **Q.** Did you have meetings with various Wall Street banks and  
11 institutional investors?

12 **A.** Yes, we did, lots.

13 **Q.** And did any of those banks or institutions ever invest in  
14 any way in AML BitCoin?

15 **A.** I don't -- not to my knowledge.

16 **Q.** All right. Did you -- at the time you were meeting with  
17 these banks, were you asking AML BitCoin for information about  
18 the company?

19 **A.** Yes, I was. Or, yes, our team was. John Langdon and all  
20 of the team were very aggressively marketing this, and  
21 everybody that they approached had lots of technical questions.

22 **Q.** And were you asking Marcus Andrade for information about  
23 the company?

24 **A.** Yes. We were asking everybody: Jack, Marcus, and anybody  
25 else that was in the chain of emails.

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1 Q. Were you getting the information from them that you  
2 wanted?

3 A. No. It started to become a serious problem because the  
4 institutional investors would ask us questions and we could not  
5 get the answers.

6 Q. What sort of questions could you not get the answers to?

7 A. Technical questions. You know, mostly technical or  
8 financial or particularly related to, you know, what -- how  
9 much money they had raised, what was their financial statements  
10 and other things like that.

11 Q. Were you ever able to see the financial statements from  
12 AML BitCoin?

13 A. Not that I remember. I wasn't the one in charge of that,  
14 John Langdon was, but I don't believe we did, no.

15 Q. Can you take a look --

16 MR. WARD: Can we pull up Exhibit 1069, please.

17 Q. Did you send an email to Mr. Abramoff expressing your  
18 concerns about the meetings you were having with Wall Street  
19 investors?

20 A. Yes, I did.

21 Q. Is this email at the bottom an accurate reflection of  
22 that --

23 A. Yes, it is.

24 Q. -- exchange?

25 Did you complain to Mr. Abramoff --



**BRYAN - DIRECT / WARD**

1           **MR. WARD:** If we could go to page 2, please.

2           **Q.** You see the paragraph "We can't go to"?

3           Were you complaining to Mr. Abramoff about the inability  
4 to get information?

5           **A.** Yes, I was.

6           **MR. WARD:** Okay. Can we pull out of this, please.

7           Can we highlight the "We expect," the little three  
8 paragraphs.

9           **THE COURT:** Have you admitted this exhibit?

10          **MR. WARD:** I haven't. I'm just using this to refresh  
11 his recollection.

12          **THE COURT:** Well, his recollection, he hasn't  
13 indicated he needs to be refreshed.

14          **MR. WARD:** Then we can -- then I'll move to admit  
15 this. Move to admit 1069.

16          **THE COURT:** All right.

17          **MR. SHEPARD:** I'm sorry. You moved to admit it?

18          **THE COURT:** 1069, he's moving to admit it.

19          **MR. SHEPARD:** No objection.

20          **THE COURT:** 1069 will be admitted.

21          (Trial Exhibit 1069 received in evidence.)

22          **BY MR. WARD:**

23          **Q.** So is this the second page of this email with  
24 Mr. Abramoff?

25          **A.** Yes, it is.

BRYAN - DIRECT / WARD

1           **MR. WARD:** And let's highlight the paragraph "We can't  
2 go to the best and brightest."

3           **Q.** When you write "We can't go to the best and" -- "the  
4 brightest and best players in the market and not fully  
5 understand the technology, IP, and competent landscape," what  
6 are you referring to?

7           **A.** I'm referring to all of the technical information related  
8 to all of the NAC-related technology that they had developed  
9 around AML/KYC and all of these anti-money laundering aspects  
10 of the coin.

11           **MR. WARD:** All right. Let's pull out of this and  
12 highlight the three bottom paragraphs here.

13           **Q.** You write [as read]:

14                   "We expect that you will be supportive of our  
15 efforts and responsive to our requests and help us to  
16 get information we need quickly."

17           Then you write [as read]:

18                   "So, we have to wonder, why are you guys holding  
19 back on us? We don't understand."

20           What are you referring to there?

21           **A.** I'm referring to all of our requests for information from  
22 the institutional investors and we're not getting anything  
23 back.

24           **Q.** In the next paragraph, are you also -- what are you  
25 referring to there?

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1 A. Again, we'd make requests on behalf of an investor or an  
2 institution, and we would get no response for over a week. And  
3 in the institutional investor world, that's catastrophic. They  
4 just dump your opportunity. They just don't even want to look  
5 at it.

6 Q. In the end, were you ever able to get the information from  
7 Mr. Andrade and Mr. Abramoff that you needed?

8 A. I think in some cases we might have gotten it weeks later,  
9 but then it's moot. We've already lost that opportunity.

10 Q. You talked about the Philippine call center. Did you hire  
11 people in the Philippine call center to interact in the chat  
12 rooms?

13 A. Yes, I -- I mean, I had one person who was doing that,  
14 yes.

15 Q. And did you ever use the Philippine call center people to  
16 trade in AML BitCoin?

17 A. No, I did not.

18 Q. Did you --

19 A. They had no trading capability.

20 Q. Did you ever tell Mr. Abramoff or Mr. Andrade that you did  
21 have them working on the trading?

22 A. Yes, I did. And I did not have that capability. They did  
23 not have that capability.

24 Q. Why did you tell them that?

25 A. I think, you know, I -- you know, they were putting such

**BRYAN - DIRECT / WARD**

1 pressure on me to do more, more, more, more, more, and there  
2 was just nothing more. So I was really, to some extent,  
3 deceiving them on that and was trying to take credit for  
4 trading that we were not actually doing.

5 **Q.** Okay. And were you ever able to recuperate any money you  
6 had invested in the AML BitCoin Token?

7 **A.** No.

8 **Q.** And if you know, were any of the people that you brought  
9 in able to -- as purchasers, were they ever able to recover any  
10 of the money they put in?

11 **A.** I can't accurately say whether they -- I think most of  
12 them took very substantial losses. I know many of them took  
13 losses, but I don't know about all of them.

14 **MR. WARD:** All right. One moment.

15 (Pause in proceedings.)

16 **BY MR. WARD:**

17 **Q.** Can I go back to this email about your complaints to  
18 Jack Abramoff.

19 **MR. WARD:** Can we pull this up and go to page 1,  
20 please.

21 **Q.** Looking at the top part, just the email, at the bottom  
22 half of the email, is that from you to Mr. Abramoff?

23 **A.** Yes, it is.

24 **MR. WARD:** If we could pull out of that and look at  
25 the top part of the email.

**BRYAN - DIRECT / WARD**

1 If you could highlight that.

2 **Q.** You see that this is forwarded to Marcus Andrade?

3 **A.** Yes, I do.

4 **Q.** Did you ever have conversations with Mr. Andrade directly  
5 about the complaints that he was forwarded in this email?

6 **A.** We had numerous conference calls, and I think most of my  
7 gripes were sent to Jack, but we certainly complained to Marcus  
8 and all of the team there, everybody that we could complain to.

9 **MR. WARD:** Thank you.

10 Nothing -- nothing further.

11 **THE COURT:** Mr. Shepard?

12 **THE WITNESS:** Your Honor, can I take a quick break?

13 **THE COURT:** Certainly.

14 **THE WITNESS:** Very quick.

15 **THE COURT:** We're going to -- the witness would like  
16 to have a quick break. So we'll take a break. We'll make this  
17 one a short one.

18 **THE WITNESS:** Yes.

19 **THE COURT:** Let's come back at five of.

20 And remember my admonitions, members of the jury. Don't  
21 discuss this amongst yourselves or with anyone else.

22 We'll see you at five of 11:00.

23 (Recess taken at 10:45 a.m.)

24 (Proceedings resumed at 10:59 a.m.)

25 (Proceedings were heard in the presence of the jury.)

## BRYAN - CROSS / SHEPARD

1           **THE COURT:** The jury is present.

2           Mr. Shepard?

3           **MR. SHEPARD:** Thank you, Your Honor.

4                           **CROSS-EXAMINATION**

5           **BY MR. SHEPARD:**

6           **Q.** Good morning.

7           **A.** Good morning, sir.

8           **Q.** Mostly you dealt with Jack Abramoff; correct?

9           **A.** I would say 80 percent Jack Abramoff, 20 percent with  
10          Marcus.

11          **Q.** And the ones where you interacted with Marcus, Abramoff  
12          was present for most of those; right?

13          **A.** Yes, except for when I met him individually or I went to  
14          Houston. And so there was times when I don't believe Jack was  
15          there but...

16          **Q.** But mostly he was there when you --

17          **A.** Yes, mostly.

18          **Q.** Okay. And, in fact, he limited your exposure to Marcus,  
19          didn't he?

20          **A.** I don't know if "limited" is the right word. I'd say he  
21          was working on the operational aspects and would report to  
22          Marcus as he's meant to report to him.

23               **MR. SHEPARD:** I move to strike the "he would report to  
24          Marcus as he was meant to." That was not responsive.

25           **THE COURT:** All right. The jury will disregard that

1 part of the answer.

2 **BY MR. SHEPARD:**

3 **Q.** Do you remember talking to the FBI several times?

4 **A.** Yes, I do.

5 **Q.** And when you talked to them last year, you told them,  
6 didn't you, that Mr. Abramoff limited your exposure to Marcus?

7 **A.** Possibly. I don't have -- I don't have access to that  
8 but...

9 (Pause in proceedings.)

10 **THE WITNESS:** But I'd say it's a fair, accurate  
11 statement.

12 **BY MR. SHEPARD:**

13 **Q.** Okay. Thank you.

14 And I think you said that Mr. Abramoff was one of your  
15 closest friends; right?

16 **A.** Yes, he was at the time.

17 **Q.** At the time. And as I understood your direct examination,  
18 you lied on his behalf when he asked you to write a letter to  
19 that Eric Olsen guy, remember?

20 **A.** I don't know specifically how you mean. I think most of  
21 that was fairly accurate.

22 **Q.** Most of it was fairly accurate, but part of it was not;  
23 right?

24 **A.** Part of it was not.

25 **Q.** And you did that because Mr. Abramoff asked you to do it;

1 right?

2 A. Yes, I did.

3 Q. And not only did you make that, we'll call it, inaccurate  
4 statement, you knew it was inaccurate; right?

5 A. Yes, I did.

6 Q. Yeah. Not only did you make that inaccurate statement on  
7 behalf of Mr. Abramoff, you also lied to him in the course of  
8 your work with AML BitCoin; correct?

9 A. In what regard? I don't know.

10 Q. Well, didn't you just say on direct examination, toward  
11 the end, that you had told Mr. Abramoff that your team in the  
12 Philippines did some trading for him but, in fact, that was not  
13 true?

14 A. Yes. That's accurate. I misrepresented that.

15 Q. Okay. And that wasn't the only misrepresentation you made  
16 to Mr. Abramoff, was it?

17 A. I'm sure it wasn't.

18 Q. And he was one of your very closest friends; right?

19 A. Yes, he was.

20 Q. So as I understand it, the first time you met  
21 Mr. Abramoff -- I'm sorry -- the first time you met Marcus was  
22 set up after you had heard about AML BitCoin from Mr. Abramoff;  
23 correct?

24 A. That's correct.

25 Q. And then Mr. Abramoff arranged a meeting for you and



1 Mr. Andrade, for the three of you, in Beverly Hills; right?

2 A. Yes, but I don't believe Mr. Abramoff was there at the  
3 first meeting. Just -- just me and Marcus, I think.

4 Q. Let me show you --

5 MR. SHEPARD: If we could, Ed, go to Exhibit 2801 and  
6 just for the Court, the witness, and the Government.

7 Q. Do you see that, sir?

8 A. Yes, I do.

9 Q. And does that refresh your recollection that it wasn't  
10 just you and Marcus at that meeting?

11 A. It's a -- it's -- it doesn't indicate who's going to be at  
12 the meeting. It just says a destination, and I don't -- I  
13 don't --

14 Q. And it has names at the top; right?

15 A. I see. Yeah, Marcus, Darren, and -- yes.

16 Q. So it wasn't just you and Marcus; right?

17 A. I don't know if Darren showed up or not. I don't -- I  
18 just don't recollect.

19 Actually, I sort of do recollect. I think Darren did show  
20 up.

21 Q. Okay. And when Mr. Abramoff -- and Mr. Abramoff set that  
22 up; right?

23 A. Yes, he did.

24 Q. And when he did, you felt like you were being used as a  
25 prop to impress Marcus; right?

1           **MR. WARD:** Objection.

2           **THE WITNESS:** No.

3           **MR. WARD:** Misstates his testimony.

4           **THE COURT:** Overruled. He can answer the question.

5           **THE WITNESS:** No, I didn't feel that way at all.

6           **BY MR. SHEPARD:**

7           **Q.** Do you remember talking to the FBI in 2019, not too long  
8 after you met Marcus? Much closer in time than today; right?

9           **A.** Yes.

10          **Q.** You talked to the FBI in 2019, and you told them "Abramoff  
11 possibly wished to use Bryan as a prop to impress Andrade." Do  
12 you remember telling them that?

13          **A.** I don't remember saying that specifically, but it's quite  
14 possible I did. But it's -- it was a possibility, but I  
15 don't -- I don't believe it was -- I'm not -- I couldn't -- I  
16 couldn't say that it was the reason that he did that, which is  
17 what your question was.

18          **Q.** My question was you felt that. You obviously can't know  
19 everything Mr. Abramoff --

20          **A.** Right.

21          **Q.** -- was thinking, but you felt that, and that's what you  
22 towed the FBI; right?

23          **A.** I told them it was a possibility.

24          **Q.** And you showed up in a Ferrari; right?

25          **A.** Yes.

**BRYAN - CROSS / SHEPARD**

1 Q. Let me turn to the Super Bowl for a minute.

2 MR. SHEPARD: If we could go back to Exhibit 435,  
3 which I believe is in evidence. Get it back on the screen.

4 Q. So the rejection campaign was your idea; right?

5 A. No, it wasn't.

6 Q. Well --

7 A. I had no experience in Super Bowl advertising ever in my  
8 life.

9 Q. You told Mr. Abramoff it was your idea; right?

10 A. I was as our umbrella and for Chet Fenster. Chet was  
11 asked by Mr. Abramoff, "What happens if we submit a perfectly  
12 good advertisement and we're rejected?" And Chet, in a --  
13 trying to be humorous in a way, said, "Hey, several years ago  
14 there was a case where it happened," and he told them about a  
15 case where an advertiser had been rejected and then ran the  
16 campaign as, "Hey, this is the ad that the Super Bowl  
17 didn't" -- or "the NFL did not want you to see."

18 So I had no experience in this. This was Chet's --

19 Q. Okay. Can you come back to my question? My question was:  
20 You told Mr. Abramoff it was your idea, didn't you?

21 A. It's -- it's Chet's idea. It's not my idea.

22 THE COURT: His question is what you told  
23 Mr. Abramoff.

24 THE WITNESS: In this email?

25 \\\

1 **BY MR. SHEPARD:**

2 **Q.** Yes.

3 **A.** Yes, I'm taking credit for all of our team.

4 **Q.** Okay.

5 **A.** So, yes.

6 **Q.** And --

7 **A.** But he was -- he knew it was Chet.

8 **THE COURT:** Just --

9 **THE WITNESS:** Okay. Sorry.

10 **THE COURT:** Just answer his question.

11 **BY MR. SHEPARD:**

12 **Q.** In your answer, you added that you were trying to be  
13 humorous. Is --

14 **A.** No, I wasn't. Chet was.

15 **Q.** Chet was. But you didn't say, when you passed this idea  
16 along to Mr. Abramoff, that you were trying to be humorous, did  
17 you?

18 **A.** No, but Chet was -- Chet directly told him.

19 **THE COURT:** Again, Mr. Bryan, just listen to the  
20 question.

21 **THE WITNESS:** Okay.

22 **THE COURT:** The other counsel will ask you to  
23 elaborate if they think it's appropriate.

24 **THE WITNESS:** Okay.

25 **THE COURT:** But answer his question.

1           **MR. SHEPARD:** I think we're done with this one, Ed.

2       Thank you.

3           And can we move on to 897.

4       **Q.** And just before I move on to 897 -- we can leave it up on  
5       the screen -- but when you suggested the rejection campaign to  
6       Mr. Abramoff, that was a communication just between you and  
7       Mr. Abramoff? Marcus was not included; correct?

8       **A.** That's correct -- or it's not specifically correct.  
9       Mr. Fenster was on the phone as well.

10      **Q.** Okay. Marcus was not?

11      **A.** Marcus was not.

12      **Q.** And now we look at Exhibit 897. This is the one where you  
13      say -- or where we see the words "The written proposal will  
14      pretend we are really buying a Super Bowl ad."

15      **A.** That's correct.

16      **Q.** Do you remember this one?

17           Yes. And that's a communication between you and  
18      Mr. Abramoff, and Marcus is not included; right?

19      **A.** Correct.

20      **Q.** And then let's go to Exhibit 434. This is the one where  
21      Mr. Abramoff proposes that you send a letter to Eric Olsen;  
22      right?

23      **A.** Yes.

24      **Q.** Remember that?

25           And you now know that Eric Olsen is one of Mr. Andrade's

1 many lawyers; right?

2 **A.** Yes. I subsequently -- yes.

3 **Q.** Okay. And when Mr. Abramoff wrote to you to ask you to  
4 write a letter to Mr. Olsen, he did not copy Marcus on it, did  
5 you -- did he?

6 **A.** No, he didn't.

7 **Q.** And your response to Mr. Abramoff did not copy Marcus  
8 either; right?

9 **A.** No, it didn't.

10 **Q.** A few more questions about the Super Bowl.

11 At one point you were willing to take AML BitCoin Tokens  
12 and pay the -- pay NBC the \$5 million yourself in cash; right?

13 **A.** Not -- no, not myself. It would have been AML BitCoin was  
14 offered to pay 1 million in cash and they would receive  
15 4 million in the AML BitCoin coins. So they were offering to  
16 accept 5 million in the form of 1 million in cash and 4 million  
17 in coins.

18 **Q.** That was definitely one thing that was discussed; right?  
19 You remember discussing a million in cash and 4 million in  
20 coins; correct?

21 **A.** Yes.

22 **Q.** There were many different possible ways --

23 **A.** Absolutely.

24 **Q.** -- that were talked about to pay for the ad.

25 That was one of them; correct?

1 A. Yes, sir.

2 Q. But another was that you were willing to take the  
3 tokens -- maybe not you personally but your company -- willing  
4 to take the tokens and pay NBC in cash; right?

5 A. Yes. But, again, that's not us. That was Group M --

6 Q. Okay.

7 A. -- and the WPP organization that would barter the  
8 transaction, and it's very common for them to do that.

9 Q. But that was another proposal that you made to Marcus  
10 and -- actually, let me back up.

11 That was another proposal that you made to AML BitCoin as  
12 a way to pay, and that would be you or Group M would pay NBC in  
13 cash and get paid in tokens in order to do so; correct?

14 A. Exactly.

15 Q. Okay. And at one point, Mr. -- as I understand your  
16 testimony, Mr. Abramoff told you that Marcus had decided that  
17 "We will submit it knowing it will be rejected, and when it is  
18 rejected, we'll do this rejection campaign"; right?

19 A. Correct.

20 Q. That's what Abramoff said to you; right?

21 A. Yes. Yes, he did.

22 Q. And what Abramoff said was, "We know it'll be rejected,  
23 and after it is rejected, we will do this rejection campaign";  
24 right?

25 A. Correct.

1 Q. One subject related to the Super Bowl that you did include  
2 Marcus on in your communications was efforts to get additional  
3 funding -- another funding possibility for the ad; right?

4 A. I'm not sure what you're referring to but --

5 Q. Okay.

6 MR. SHEPARD: Could we put up Exhibit 2105 just for  
7 the witness, the parties, and the Court.

8 Q. Do you see that, sir?

9 A. Yes, I do.

10 Q. And that is an email from Mr. Abramoff to you dated  
11 January 29, 2018; correct?

12 A. Yes, sir.

13 Q. And it appears to be a true and correct copy of an email  
14 chain that you received at that time?

15 A. Yes, it is.

16 MR. SHEPARD: I offer 2105.

17 MR. WARD: No objection.

18 THE COURT: 2105 will be admitted.

19 (Trial Exhibit 2105 received in evidence.)

20 MR. WARD: Is this just one page?

21 MR. SHEPARD: This is one page. I'm going to  
22 separately mark what I believe to be the attachment, but this  
23 is just one page. That's all I've offered at this point.

24 MR. WARD: No objection to this page.

25 THE COURT: 2105 has been admitted.



1 **BY MR. SHEPARD:**

2 **Q.** And what this is, is a communication around a consulting  
3 agreement that was being used as a way to get funding from a  
4 man named Allan Migdall; correct?

5 **A.** Correct.

6 **MR. SHEPARD:** And now let's put up Exhibit 2106 just  
7 for the witness, the parties, and the Court.

8 **Q.** Do you recognize that as the agreement that was drafted  
9 and prepared for Mr. Migdall and Mr. Andrade?

10 **A.** Yes, I do.

11 **MR. SHEPARD:** I offer Exhibit 2106.

12 **MR. WARD:** No objection.

13 **THE COURT:** 2106 will be admitted.

14 (Trial Exhibit 2106 received in evidence.)

15 **BY MR. SHEPARD:**

16 **Q.** And this was a financing arrangement that you helped  
17 facilitate; right?

18 **A.** Yes.

19 **Q.** Okay. And you'll see on the second page Mr. Andrade's  
20 signature. There's no signature of Mr. Migdall; right?

21 **A.** Correct.

22 **Q.** So it became close but never got across the finish line;  
23 right?

24 **A.** Exactly.

25 **Q.** When you were asked questions about the call center in the

1 Philippines and the inaccurate statement that you made to  
2 Mr. Abramoff about the Philippines, you explained in answer to  
3 Mr. Ward's question that you made that statement because "They  
4 were putting pressure on me." Do you remember that?

5 A. Yes.

6 Q. And we saw some communications between you and  
7 Mr. Abramoff where Mr. Abramoff was putting pressure on you;  
8 right?

9 A. Yes.

10 Q. We didn't see anything in writing from Mr. Andrade putting  
11 pressure on you, did we?

12 A. No.

13 Q. And so when you used the word "they," we're just relying  
14 on your word that Mr. Andrade had anything to do with that;  
15 right?

16 A. Yes.

17 Q. And, by the way, when you felt pressured by your very good  
18 friend Mr. Abramoff, did you say to him, "Jack, don't -- you're  
19 pressuring me"?

20 A. No, I don't believe I did.

21 Q. You just decided to lie to him instead?

22 A. In that particular case, yes.

23 Q. And you said you had this call center in the Philippines.  
24 That was a common practice; right?

25 A. What's a common practice?

1 Q. Well, you used it with some frequency; right?

2 A. Yes. I had that in operation for quite some time.

3 Q. And you said you sent them documentation relating to the  
4 technology. Did that include the white paper?

5 A. Yes, and included all of the NAC and TrustVerify [sic] and  
6 all of the other NAC-created documents.

7 Q. Did you give them a purchase agreement, a purchase  
8 agreement that would be required to acquire AML BitCoin Tokens?

9 A. No, because this was not going to be a private sale.

10 There would be no private sales, so there would be no agreement  
11 for that.

12 Q. Okay. I understand. But you did give them the white  
13 paper; right?

14 A. I'm not sure if the white paper was included. I --  
15 possibly. I think it was so nascent and so early, it doesn't  
16 really say that much. I think most of it was the presentation  
17 material because it's so much more descriptive.

18 Q. Sorry. But you did say a moment ago that you did give him  
19 the white paper. Now you're not sure?

20 A. I'm not totally certain, but I believe I probably would  
21 have.

22 Q. Okay. And there was a reference to the price of  
23 AML BitCoin Tokens possibly going to \$1,350.

24 A. Correct.

25 Q. You have no idea who said that; right?

1 A. I don't.

2 Q. I'm now going to turn my attention to this  
3 Project Sunshine.

4 A. Yes, sir.

5 Q. You were asked a number of questions about that.

6 A. Okay.

7 Q. The proposal was called an investor relations plan; right?

8 A. Yes.

9 Q. And Mr. Abramoff edited it with you; is that right?

10 A. I think when we initially sent it to him, I don't think  
11 he'd had an opportunity to see it yet, so I believe he did  
12 comments in bold and underlined.

13 Q. And so you sent it to Mr. Abramoff first; he made some  
14 comments; and as far as you know, Mr. Andrade didn't see it  
15 until after that; right?

16 A. I have no idea.

17 Q. Fair enough.

18 And I think you explained that there was this company  
19 called Polyblock.

20 A. Correct.

21 Q. A very reputable company in the crypto space; right?

22 A. Correct.

23 Q. And they were going to be -- they were going to buy coins  
24 and be a market maker in the coin; right?

25 A. Correct.

1 Q. And the strategy was to stimulate organic trading, meaning  
2 trading by others; right?

3 A. Right. Yes.

4 Q. And if we could go to Exhibit 902. Just putting this back  
5 up, this was used and shown to you on direct examination. I'm  
6 just trying to place it back for you.

7 A. Yes, sir.

8 Q. You were saying that there was buying and selling to show  
9 some volume; right?

10 A. Yes.

11 Q. And some international exchanges require minimum volumes;  
12 right?

13 A. I don't know. I'm not certain of that. I don't --

14 Q. Okay.

15 A. Yeah.

16 Q. And are you aware that some international exchanges offer  
17 to buy and sell themselves in order to generate volume?

18 A. Not -- I've never experienced that, so I can't -- I can't  
19 say.

20 Q. Okay. And I think I understood your testimony on direct  
21 to be that, when Mr. Ward was saying you wanted to increase the  
22 volume and increase the price, and your answer would be  
23 increasing volume could sort of -- it could affect the price --

24 A. Yes.

25 Q. -- right?

1 A. Right. Right.

2 Q. But you weren't directly affecting the price. You were  
3 just increasing the volume in the hopes that it would impact  
4 the price; right?

5 A. Exactly.

6 Q. Okay. And ultimately, your view was that you couldn't  
7 really do that effectively, given the small amount of money you  
8 were given, and even that was just -- you had to buy the coins;  
9 right?

10 A. Exactly.

11 Q. And, by the way, in terms of your participation in these  
12 market-making activities, did the Government ever threaten you  
13 with prosecution?

14 A. Never.

15 Q. And so you don't have any kind of agreement with  
16 the Government; right?

17 A. Never.

18 Q. Okay. Because you don't -- you don't feel you did  
19 anything wrong; right?

20 A. Right. This is --

21 Q. Okay.

22 A. None of these activities were in the United States. They  
23 were all in offshore countries.

24 Q. One of the things that you did in your dealings with  
25 Mr. Abramoff and Mr. Andrade was that you sort of held yourself

1 out as being able to bring in really important, respected  
2 entities like Morgan Stanley; correct?

3 **A.** Correct.

4 **Q.** And you thought that AML BitCoin agreed to give you those  
5 250,000 tokens, which, as you noted, you had to pay for or  
6 agree to pay for, they agreed to do that because you were  
7 bringing organizations like Morgan Stanley to them; correct?

8 **A.** Those coins they were giving to me, the 250,000, were not  
9 for me. I never took those. They were all for specified  
10 individuals, such as Polyblock and others who were given those  
11 coins.

12 **Q.** Okay. But the reason you were able to get those coins for  
13 Polyblock and others was because you were bringing  
14 organizations like Morgan Stanley to AML BitCoin; correct?

15 **A.** And Polyblock. Really, Polyblock was the main player.  
16 Polyblock was recommended to us by Morgan Stanley.

17 **Q.** Okay. Polyblock was definitely part of it, but you told  
18 the FBI, didn't you, when you spoke to them in 2019, that  
19 Marcus Andrade and Jack Abramoff agreed to provide those  
20 250,000 AML BitCoin Tokens because you were bringing  
21 organizations like Morgan Stanley to them?

22 **A.** Correct.

23 **Q.** And I think the way you described it was that you had a  
24 lot of bait in the water; right?

25 **A.** A lot of?

1 Q. Bait, b-a-i-t.

2 A. I -- I'm not sure exactly what I was referring to.

3 Q. But you remember telling the FBI that you had a lot of  
4 bait in the water in order to trigger that transfer of 250,000  
5 AML BitCoin Tokens; right?

6 A. I'm not sure if it's a typo. I don't know what "bait in  
7 the water" -- I don't know what I was referring -- I can't  
8 remember what I was referring to.

9 Q. Okay. Have you ever gone fishing?

10 A. Yeah. Well, not really. I'm not a fisherman.

11 Q. Okay. But you know enough about fishing to know that what  
12 "bait in the water" is, it attracts the fish; right?

13 A. Yes. So you're referring to the coins as bait in the  
14 water?

15 Q. I'm referring to Morgan Stanley, the lure of Morgan  
16 Stanley as bait in the water --

17 A. I see.

18 Q. -- to get --

19 A. Now, I understand. Yes.

20 Q. -- Mr. Andrade and Mr. Abramoff to provide AML BitCoin  
21 Tokens; right?

22 A. Yes.

23 Q. That's what happened; right?

24 A. Yes. I now understand the reference.

25 Q. Sorry I wasn't clearer earlier, but thank you.



1 And after you got the tokens, there wasn't a lot of  
2 movement in the volume of trading of AML BitCoin; correct?

3 A. No.

4 Q. Okay.

5 A. No.

6 Q. And -- and the trading, I think, as I understood it, you  
7 were quite active in observing it, but the trading was actually  
8 being done by this Quintin Miller at Polyblock --

9 A. Correct.

10 Q. -- correct?

11 A. He was the lead trader.

12 Q. And in order to conceal the fact that he, Quintin Miller,  
13 was not generating any volume at all, you told Abramoff that  
14 all the visible trading on IDAX was due to Project Sunshine;  
15 right?

16 A. Could you repeat that?

17 Q. Yeah. You told Abramoff that all the visible trading on  
18 IDAX was due to Project Sunshine; right?

19 A. I -- I don't know what specific date that refers to. I  
20 can't say that that's blanket for months or weeks or days or  
21 hours.

22 Q. Yes, I understand that qualification, but my question to  
23 you was: At some point in time, you told Jack Abramoff that  
24 all the visible trading on IDAX was due to Project Sunshine --

25 A. Correct.

1 Q. -- correct?

2 A. And I believe on the specific date when I was saying that,  
3 it was accurate.

4 Q. Well, you remember when you talked to the FBI in 2019, you  
5 said that you falsely claimed to Abramoff that all the visible  
6 trading on IDAX was due to Project Sunshine?

7 A. Right.

8 Q. Do you remember telling the FBI that?

9 A. Yes, I did.

10 Q. Okay. So that was another false statement that you made  
11 to your very close friend Jack Abramoff; right?

12 A. No.

13 Q. Okay. Mr. Bryan --

14 THE COURT: Oh.

15 A JUROR: Can I get a repeat?

16 THE COURT: Certainly.

17 A JUROR: Sorry. I couldn't hear.

18 THE COURT: Certainly. Actually, why don't we just  
19 have the court reporter read back the question and the answer.

20 (Record read as follows:

21 "QUESTION: Do you remember telling the FBI that?

22 "ANSWER: Yes, I did.

23 "QUESTION: Okay. So that was another false statement  
24 that you made to your very close friend Jack Abramoff;  
25 right?

1       **"ANSWER:** No.")

2           **A JUROR:** The question before that.

3       (Record read as follows:

4       **"QUESTION:** Well, you remember when you talked to the FBI  
5       in 2019, you said that you falsely claimed to Abramoff  
6       that all the visible trading on IDAX was due to  
7       Project Sunshine?

8       **"ANSWER:** Right.

9       **"QUESTION:** Do you remember telling the FBI that?

10       **"ANSWER:** Yes, I did.

11       **"QUESTION:** Okay. So that was another false statement  
12       that you made to your very close friend Jack Abramoff;  
13       right?

14       **"ANSWER:** No.")

15           **MR. SHEPARD:** And was it me who you couldn't hear or  
16       was it Mr. Bryan? Just so we know.

17           **A JUROR:** I couldn't hear you very clearly.

18           **MR. SHEPARD:** Okay. Thank you for letting me know.

19       **Q.** And do you recall telling Abramoff that you had previously  
20       used several different companies to market manipulate?

21       **A.** He liked to call it that. I was using those terms very  
22       loosely.

23       **Q.** But you do remember telling him that; right?

24       **A.** Yes, I think -- I did tell him. I probably used that  
25       language.

1 Q. And that was also a lie; right?

2 A. I don't know what -- whether -- I don't know what that  
3 specific reference was to, so I can't say whether it was  
4 accurate or not.

5 Q. Okay. Well, do you remember when you talked to the FBI in  
6 2019, you were trying to tell them the truth? Right?

7 A. Yes.

8 Q. And you told them that you may have told Abramoff that he  
9 had previously used several -- "he," meaning you -- had  
10 previously used several different companies to market  
11 manipulate but that was a lie? Do you remember telling them  
12 that?

13 A. Yes, I do. And --

14 Q. Okay.

15 A. Yes, I do.

16 Q. And you sent text messages to your very close friend  
17 Jack Abramoff claiming credit for market making when, in fact,  
18 what had happened was organic and unpredictable price  
19 increases; right?

20 A. Yes. I don't know which specific things, but I think,  
21 yes, that's correct in certain cases.

22 Q. And at the time you were telling these lies, you were  
23 thinking that if Abramoff and Marcus had the slightest amount  
24 of expertise, they would have realized that your lies were  
25 changing over time, but they didn't; right?

1 A. Well, I don't know what you're specifically referencing,  
2 but, you know -- I don't know what that means. You'd have to  
3 be more specific.

4 Q. Okay. Well, I'll try to be more specific. But do you  
5 remember thinking "These people aren't sophisticated enough to  
6 figure out I'm lying to them"? Do you remember thinking that?

7 A. No. I thought Jack was very sophisticated, and I thought  
8 Marcus was pretty sophisticated. So I may have thought that in  
9 certain aspects, but I don't think I thought that generally --

10 Q. Okay. Let's --

11 A. -- throughout everything.

12 Q. Let's go back to when you spoke to the FBI in 2019.

13 A. Okay.

14 Q. You told them that if Abramoff and Andrade had the  
15 slightest amount of expertise, they would have realized that  
16 your lies were changing over time. That's what you told them,  
17 didn't you?

18 A. Yes, I did.

19 Q. Okay. And you also thought at the time that Quintin  
20 Miller was lying to you about his trading activity, didn't you?

21 A. I did. I suspected it.

22 Q. Because you asked him for backup about what he was doing  
23 and he never supplied it to you; right?

24 A. That's exactly correct. I asked him for the trading  
25 statements.

1 Q. Okay. And when you were discussing the details of the  
2 self-trading that Mr. Ward was asking you about, you were lying  
3 to Abramoff about that as well, weren't you?

4 A. In what regard? I'm not sure I understand the question.

5 Q. You were creating a problem that you could claim to solve,  
6 but in reality, you thought it would just solve itself. Do you  
7 remember that?

8 A. Yes. I mean, are you referring to the intercompany trades  
9 that --

10 Q. Yes.

11 A. -- Quintin was doing?

12 Q. Yes.

13 A. And what are you referring to? I'm sorry.

14 Q. I'm saying that you were creating a problem. That is, you  
15 were telling Mr. Abramoff that AML BitCoin needed to do certain  
16 things. You created that problem and you could claim to solve  
17 it; but in reality, it would just solve itself. Do you  
18 remember that?

19 A. Yes, but I don't see how it applies in this particular  
20 case. I don't know if my statement was applying to that  
21 particular situation.

22 Q. Well, you remember talking to the FBI in 2019?

23 A. Yes.

24 Q. And telling them that when you were discussing the details  
25 of the self-trading with Abramoff, you were actually just lying

1 to Abramoff? Do you remember telling the FBI that?

2 **A.** Yes, I did, but it's not related to that point in time. I  
3 don't believe these points in times are similar.

4 So when I was talking to Abramoff in the specific examples  
5 that were discussed here, I believe I was watching the trading  
6 and I saw Quintin doing the trading. So there was times when  
7 it was very accurate and times when I suspected it wasn't.

8 **Q.** And times that you admit lying to Abramoff about what was  
9 happening; correct?

10 **A.** I think that, occasionally, when Quintin would tell me  
11 certain things would happen, I'd relay it; and then later on  
12 I'd say, "Gosh, why didn't you give me the statements?" And  
13 I'd suspect that it wasn't true.

14 So I had, in many cases -- some cases, inadvertently taken  
15 credit for something that I subsequently didn't believe  
16 happened.

17 **Q.** That's not how you explained it to the FBI, though, is it?

18 **A.** Well, I don't think we went into that much detail.

19 **Q.** You said to the FBI, when you were discussing the details  
20 of the self-trading with Abramoff, you were actually just lying  
21 to him?

22 **A.** Yes, but there's no --

23 **Q.** Isn't that what you said?

24 **A.** -- point in time related --

25 **THE COURT:** There's no arguing back and forth.

1           **THE WITNESS:** Sorry.

2           **THE COURT:** Question, answer, question.

3           **BY MR. SHEPARD:**

4           **Q.** And you routinely misrepresented your role in the AMLB  
5 token market by taking unjustified credit and placing  
6 unjustified blame; correct?

7           **A.** I -- I would say that in certain cases.

8           **Q.** Routinely, you did that; correct?

9           **A.** At certain times.

10          **Q.** Routinely, at certain times?

11          **A.** Right. So on a specific day, I might have been taking  
12 credit for something that we later found out wasn't accurate.

13          **Q.** Well, you didn't say to the FBI you later found out that  
14 your statements were inaccurate. You said you were lying,  
15 didn't you?

16          **A.** Yes, I did. And on certain occasions, I did specifically  
17 misrepresent. So that is accurate.

18          **Q.** And the reason that you kept lying to Abramoff is because  
19 he was the gatekeeper to your payments and you were  
20 manipulating your very close friend in order to secure  
21 payments; right?

22          **A.** I think this was well after receiving the payment. We  
23 never received subsequent payments. So this was -- I believe  
24 that the engagement took place in March. This is May and June  
25 when the trading started. So it's at a different point in



1 time. Our payments started in March.

2 Q. Do you remember, when you were talking to the FBI in 2019,  
3 you said you did this because Abramoff was the gatekeeper to  
4 Bryan's payments and you manipulated Abramoff to secure your  
5 payments? Do you remember that?

6 A. Yes, but --

7 Q. You remember saying that; yes?

8 A. It's -- it's -- I don't believe that that's strictly  
9 accurate, to be honest.

10 Q. You did say it, but it wasn't accurate?

11 A. Well, it's not at the same time. My payments took place  
12 in March, and the trading doesn't start till May.

13 Q. Okay. Did you or did you not say that you did this  
14 because Abramoff was the gatekeeper to your payments and you  
15 manipulated Abramoff to secure your payments? Did you say that  
16 to the FBI or not?

17 A. Yes, but what I was referencing was wanting to get  
18 additional payments, not to the payments that had already been  
19 made.

20 Q. Okay. So you did tell that lie; you just say it was at a  
21 different time?

22 A. Correct.

23 MR. SHEPARD: Okay. And if we could go to Government  
24 Exhibit 1069. I'm not sure this one is in evidence, so please,  
25 just for now, to the parties, the witness, and the Court.

1           **THE COURTROOM DEPUTY:** It was admitted.

2           **MR. SHEPARD:** It is?

3           Yes. Okay. It is in evidence. So I guess we can just  
4 put it up.

5           Give me one moment, please.

6                       (Pause in proceedings.)

7           **MR. SHEPARD:** Okay. If we go to the second page,  
8 please, Ed.

9           I'm afraid mine is paginated a little differently. Hold  
10 on one second. Try the next -- try scrolling down.

11           Yeah, there it is. Thank you, Ed. Thanks for bearing  
12 with me there.

13           If you'd highlight for us the first -- I guess it's the  
14 second paragraph that starts "The fact is."

15 **Q.** And just to put this in context, this is in April of 2018,  
16 and you were writing to Jack Abramoff and you were talking  
17 about what was going on with Morgan Stanley. And you told  
18 Mr. Abramoff [as read]:

19                       "The fact is that we have made great progress  
20 over the past two weeks, both in terms of reaching  
21 out to the Morgan Stanley players, 'socializing' the  
22 AML opportunity, and digging deep into the play. We  
23 only need a few more pieces to finalize our effort to  
24 get scheduled" -- "and get scheduled."

25           Right?

1 A. Yes. This is all written by John Langdon, but, yes, this  
2 is accurately reflecting his comments.

3 Q. Okay. And Mr. Abramoff -- well, okay.

4 MR. SHEPARD: If we can go to Exhibit 2221, just the  
5 parties, the witness, and the Court.

6 Q. And this is communication between you and Mr. Abramoff;  
7 correct?

8 A. Yes.

9 Q. And it's dated April 12, 2018?

10 A. Correct.

11 Q. And it appears to be a true and correct copy of your  
12 communications with Mr. Abramoff at that time?

13 A. Yes, it does.

14 MR. SHEPARD: I offer 2221, Your Honor.

15 MR. WARD: No objection.

16 THE COURT: 2221 will be admitted.

17 (Trial Exhibit 2221 received in evidence.)

18 BY MR. SHEPARD:

19 Q. And what is going on here is that you and Mr. Abramoff  
20 are, together, drafting an email; correct?

21 A. Sorry. What's the question? I apologize.

22 Q. You're working with Mr. Abramoff to draft an email;  
23 correct?

24 A. Correct.

25 Q. And Abramoff says [as read]:

1           ". . . the draft was very well done, but I did  
2       tweak it a bit. Marcus is intimidated being near/in  
3       this world and would be mortified if he knew that I  
4       conveyed his hissy fits."

5       Right?

6       **A.**    Yes.

7       **Q.**    And with that, he makes a suggested edit in the document;  
8       right?

9       **A.**    Yes.

10           **MR. SHEPARD:** If we can put up Exhibit 2253, please,  
11       again, just to the parties, the witness, and the Court.

12       **Q.**    Take a minute to take a look at that, and then I'll ask  
13       you if you can identify it.

14       **A.**    (Witness examines document.)

15       **Q.**    That appears to be an internal memorandum going between  
16       you and Mr. Langdon and Mr. Getz. Or it's just going between  
17       you and Mr. Langdon?

18       **A.**    Yes. And we sent it out to lots of other people, but yes.

19       **Q.**    Okay. And this relates to The Watley Group's approach to  
20       supporting and facilitating the NAC Foundation; correct?

21       **A.**    Right. And AML BitCoin.

22       **Q.**    And -- yes. And AML BitCoin, correct.

23           **MR. SHEPARD:** I offer Exhibit 2253.

24           **MR. WARD:** Objection. This is hearsay.

25           **MR. SHEPARD:** Not being offered for the truth,

1 Your Honor.

2 **THE COURT:** It's being offered, therefore, for what  
3 relevant purpose?

4 **MR. SHEPARD:** It's being offered to show how they were  
5 setting things up to impress the AML BitCoin people so that  
6 they could get money out of them.

7 **THE COURT:** I'll admit it on that basis.  
8 (Trial Exhibit 2253 received in evidence.)

9 **MR. SHEPARD:** So, Ed, if we could go on the first page  
10 there, underneath the heading "ABTC Trading Support," and  
11 highlight the first two paragraphs underneath that heading.

12 **Q.** And this is sort of your internal strategy discussions;  
13 correct?

14 **A.** Yes.

15 **Q.** And --

16 **A.** But not just extern- -- internal. It's internal at this  
17 point in time, but it's for external distribution.

18 **Q.** You're working on it for eventual distribution?

19 **A.** Correct.

20 **Q.** Like we all do from time to time. Just sorting it out  
21 internally and then it's going to go out after that; right?

22 **A.** Correct.

23 **Q.** You say [as read]:

24 "Providing NAC with relationships and potential  
25 partnerships with some key players will facilitate

1 NAC's token and coin offering."

2 Correct?

3 A. Which paragraph?

4 Q. I'm sorry. That's --

5 A. Ah, there we go.

6 MR. SHEPARD: Thank you, Ed.

7 THE WITNESS: Yes.

8 BY MR. SHEPARD:

9 Q. And then at the start of the next paragraph, you say [as  
10 read]:

11 "These relationships are coming from you, from  
12 John Langdon (formerly with KKR), and George Getz and  
13 the Morgan Stanley" --

14 That "MS" refers to Morgan Stanley; correct?

15 A. Correct.

16 Q. [As read]:

17 -- "the Morgan Stanley relationship ecosystem."

18 A. Correct.

19 Q. Right? Because George Getz was at Morgan Stanley and he  
20 had a lot of connections with other impressive people; correct?

21 A. Well, yes. He's managing money there. He's a money  
22 manager and a fund manager, so he's responsible for  
23 investments.

24 Q. And this is part of what you were offering to AML BitCoin  
25 in order to get their business; correct?

1 A. I don't think we were -- this had nothing to do with a  
2 proposal for getting their business. This was a -- this was  
3 our concept, outline of our concept of how to do this properly.

4 Q. Well, it was a concept --

5 A. I don't believe anywhere in here do we say an offer to  
6 hire us. This is just a concept for how to approach the  
7 upcoming initial trading of the coin.

8 Q. Okay. And it was a concept that you wanted to communicate  
9 to AML BitCoin to make sure that they would continue to engage  
10 you and to continue to do business with you; correct?

11 A. Well, I believe we were already engaged, so -- we were  
12 engaged to do exactly this.

13 Q. And you wanted to continue and continue to get funding  
14 from them; correct?

15 A. Well, we'd already been paid only for two months, and that  
16 was all we were due. So they had paid us for two months, and  
17 now we were on the -- we had to work for another six for free.

18 Q. And part of that six months that you worked for free was a  
19 conference in Washington, D.C.?

20 A. Yes, strategic planning seminar.

21 Q. And that was also leveraging some of these important  
22 people, like George Getz, John Langdon, who's a -- I guess he's  
23 in private equity of Allied Wealth Partners; is that right?

24 A. KKR.

25 Q. Oh, and also KKR.

1 A. The biggest --

2 Q. Yes. Okay.

3 A. -- fund in the world at the time.

4 Q. Yeah. And I think you described KKR on your direct  
5 examination, but just, can you explain what KKR is?

6 A. Kohlberg Kravis & Roberts, which is a private equity firm,  
7 which probably at the time or over the years, has been one of  
8 the most famous in the world. And John worked there for many  
9 years.

10 Q. Mr. Abramoff told you that the coin had already been  
11 developed; correct?

12 A. I'm not sure exactly what you mean.

13 Q. Okay. You had described some information that you say you  
14 learned as you were learning about AML BitCoin, and I was  
15 asking you if Abramoff had said the coin was already developed.

16 A. Well, they had software teams developing different  
17 portions of it. I mean, I can --

18 Q. Okay. So some of it was still being developed?

19 A. Some of it was under development, yes.

20 Q. Okay. And --

21 A. Some of it had been developed, and some of it was under  
22 development.

23 Q. And you learned that from --

24 A. Excuse me for --

25 Q. That's okay.



1 And you learned that from Mr. Abramoff; correct?

2 A. And -- no. He occasionally would bring in some of the  
3 technology people on conference calls. We had some calls with  
4 some of the experts.

5 Q. Okay. I understand. Thanks.

6 I think you mentioned on direct examination that Marcus  
7 had told you that AML BitCoin had sold about 70 million tokens.

8 A. I believe it was a hundred.

9 Q. A hundred. Okay.

10 A. At 70 cents.

11 Q. Okay. I thought I asked you 70 million tokens, but it  
12 sounds like you might have interpreted it as dollars.

13 A. I didn't -- maybe I just didn't understand. Sorry.

14 Q. Okay. So a hundred million tokens, \$70 million?

15 A. Correct.

16 Q. Okay. When you spoke to the Government yesterday, you  
17 told them 75 million; right?

18 A. I don't know if it was 70 cents or 75. I can't remember  
19 that precisely, but I believe it was 70.

20 Q. Okay.

21 A. I might have said --

22 Q. But my question was --

23 A. -- 75.

24 Q. -- when you told the Government -- when you talked to the  
25 Government about this same question yesterday, you told them

1 75; correct?

2 A. I -- I'm not sure. It might have been in error or written  
3 down wrong, because I'm not sure exactly what I said.

4 Q. You're not sure if you said that or not. You might have  
5 said it?

6 A. It's possible. But I've got my own documents that I  
7 referred to that show me 70 cents for a hundred million and the  
8 total revenue of that being \$70 million.

9 Q. When you spoke to the FBI in 2019, you told them  
10 60 million; right?

11 A. Dollars?

12 Q. You said they had raised \$60 million?

13 A. That's possible.

14 Q. And when you talked to the FBI last year, you said that  
15 Marcus claimed to have raised millions of dollars in the ICO;  
16 correct?

17 A. I don't -- I don't -- I mean, yes, I could have referred  
18 to it as millions of dollars.

19 Q. In the times that you did deal directly with Marcus, your  
20 impression was, when there's an issue that he doesn't  
21 understand very well, he doesn't want to seem like he doesn't  
22 understand it so he doesn't ask the questions he should be  
23 asking; right?

24 A. That's -- I could very well have said that. I don't know  
25 what specific conversation but --

1 Q. But that was your --

2 A. Yes.

3 Q. That's your impression of --

4 A. It was an impression, one of my impressions.

5 Q. And from time to time, he would say strange things to you,  
6 didn't he?

7 A. Yes.

8 Q. He told you at one point that he was requesting a  
9 congressional investigation into the Government's investigation  
10 of him. Remember that?

11 A. I don't remember it right now, but it --

12 Q. Sounds about right?

13 A. Yeah. Something.

14 Q. He told you he was writing a letter to Attorney -- then  
15 Attorney General William Barr requesting appointment of a  
16 special prosecutor. Do you remember that?

17 A. I don't specifically remember that but...

18 Q. It sounds like things he said?

19 A. It sounds conceivable.

20 Q. And he said he would tell you more because he was looking  
21 for a person to confide in? Do you remember that?

22 A. Yes.

23 Q. One of the duties that you were engaging in for  
24 AML BitCoin was sort of related to what people in the corporate  
25 world call a turnaround; right?

1 A. No. We never -- this was never a -- our turnaround  
2 business is completely different.

3 Q. You remember when you talked to the FBI in 2019 saying  
4 your duties for AML BitCoin were all related to the turnaround  
5 of AML BitCoin?

6 A. After the trading started, trying to get a turn- -- I  
7 wasn't referring to that as turnaround the way we do business  
8 turnaround, but to reverse the downslide of the coin, the price  
9 of the coin.

10 Q. My question was: You said to the FBI that your duties for  
11 AML BitCoin were all related to the turnaround of AML BitCoin?

12 A. Yes.

13 Q. And that -- you did say that?

14 A. I misunderstood, when you said that, what you meant.

15 Q. Okay. And you had observed that AML BitCoin had wasted a  
16 significant amount of money on bad suppliers and other things;  
17 right?

18 A. Yes.

19 Q. And you also learned that a year before September of 2018,  
20 Marcus was spending money on the system but the people working  
21 on it were idiots?

22 A. That's correct. Or that was my impression, and I believe  
23 Marcus told me that.

24 Q. You said to the -- when you reported that to the FBI, you  
25 didn't say you got that from him; right?

1 A. I don't -- I don't think so but...

2 Q. Okay. And I think what you -- what you did say -- and let  
3 me ask you just more directly.

4 He hired three different software companies to build parts  
5 of the gateway; right?

6 A. Correct.

7 Q. And you didn't think that was a good idea, did you?

8 A. It wasn't whether I thought it was a good idea or not.  
9 Marcus communicated that to me and said, "I made a mistake and  
10 I had to replace them." So it was really my hearing Marcus  
11 talk about it.

12 Q. Okay. So he was making mistakes and trying to learn from  
13 them --

14 A. Correct.

15 Q. -- correct?

16 A. Yeah.

17 Q. And when you went to London -- you went to London; right?

18 A. Yes, I did.

19 Q. And you met with the team there?

20 A. Yes, I did.

21 Q. When was that?

22 A. You know, I have just no idea. I'd have to really look  
23 that up. I'm just not sure.

24 Q. 2018, while you were doing this other work for  
25 AML BitCoin?

1 A. Yes, yes, but I don't know specifically which month even.

2 Q. And your impression of the team there was that they didn't  
3 understand how markets and banks work and they were too naive  
4 to understand what the banks wanted; right?

5 A. Correct, among -- among other comments.

6 Q. And you also expressed concern about Marcus's paranoia and  
7 being scared all the time. Remember that?

8 A. Yes, I do.

9 Q. And you thought his organization was disorganized and not  
10 ready to execute effectively; correct?

11 A. Yes, I did.

12 Q. The one thing that did impress you was the patents; right?

13 A. Yes.

14 Q. They were broad and significant; right?

15 A. I believed so.

16 Q. And speaking of London, the operation there was headed by  
17 Richard Naimer; correct?

18 A. I don't remember. I thought he lived in Israel. I mean,  
19 I don't think he was directly -- I'm not certain. But I don't  
20 believe he lived in London. He possibly was supervising it  
21 from afar.

22 Q. Okay. That's fine.

23 And you were asking him for information, but he didn't  
24 give it to you; right?

25 A. No.

1 Q. I am correct that you asked and he didn't give it;  
2 correct?

3 A. Yes. I'm not sure which information you're specifically  
4 referring to, but sometimes he didn't.

5 Q. Yes. There was information you asked for that he didn't  
6 give?

7 A. There was some information I asked for that he didn't  
8 give, correct.

9 MR. SHEPARD: And on the subject of requesting  
10 information, if we could just briefly put up Exhibit 1069.  
11 I believe this is in evidence also.

12 Q. You looked at this an hour or two ago. It probably seems  
13 like forever to you but...

14 This was an occasion on which you were complaining about  
15 not getting information. You remember?

16 A. In the bottom email?

17 Q. Yes.

18 A. Yes.

19 Q. And your complaint was made to Mr. Abramoff; correct?

20 A. Yes, it was.

21 Q. You did not copy Mr. Andrade; correct?

22 A. No, I didn't.

23 Q. And I think, ultimately, you said you did get information  
24 but it was too slow to be useful to you. Your opportunity had  
25 passed. Correct?

**BRYAN - REDIRECT / WARD**

1 **A.** Certain -- the people that had requested information  
2 didn't get information, so they passed.

3 **MR. SHEPARD:** If I may have a moment, Your Honor.

4 (Pause in proceedings.)

5 **MR. SHEPARD:** Thank you, Mr. Bryan.

6 I don't have anything further.

7 **THE WITNESS:** Thank you.

8 **REDIRECT EXAMINATION**

9 **BY MR. WARD:**

10 **Q.** Mr. Bryan, Mr. Shepard asked you about meetings with  
11 Mr. Andrade. Did you travel to Houston and meet with  
12 Mr. Andrade?

13 **A.** Yes. I don't know how many times, but yes, I did.

14 **Q.** And when you met with Mr. Andrade, was Mr. Andrade  
15 specifically telling you about AML BitCoin and the technology  
16 and the business?

17 **A.** Yes, he was.

18 **MR. WARD:** Can we bring up Exhibit 434.

19 **Q.** Mr. Bryan, is this the draft letter that Mr. Abramoff  
20 asked you -- that letter that Mr. Abramoff asked you to draft?

21 **A.** Yes, it is.

22 **Q.** Mr. Shepard asked you whether you drafted this just for  
23 Mr. Abramoff. Can you -- do you know what Mr. Abramoff --

24 **MR. SHEPARD:** I object to his --

25 \\\



1 BY MR. WARD:

2 Q. Do you know what Mr. --

3 MR. SHEPARD: -- characterization.

4 THE COURT: Wait, wait.

5 What's the objection?

6 MR. SHEPARD: I object to Mr. Ward's characterization  
7 of what I asked. I don't think he -- I don't think it's  
8 necessary to his question.

9 THE COURT: All right. Just ask the question.

10 BY MR. WARD:

11 Q. Mr. Bryan, do you know what Mr. Abramoff did with this  
12 letter?

13 A. He gave it to -- according to what he told me, he gave it  
14 to Mr. Andrade.

15 Q. And did he write to you [as read]:

16 "I am getting to Marcus and he'll get it to his  
17 lawyer"?

18 A. Correct.

19 Q. All right. Mr. Shepard asked you a number of questions  
20 about paying for the Super Bowl ad. Do you remember that?

21 A. Yes.

22 Q. Was there any payments ever made for any Super Bowl ad?

23 A. No.

24 Q. And when you were speaking to Mr. Abramoff, did you --  
25 what did you understand the plan was in regards to the

1 Super Bowl ad?

2 **A.** That they had decided to pursue the rejection campaign, as  
3 we called it.

4 **Q.** And did you discuss that with Mr. Andrade?

5 **A.** On -- he was on conference calls during many of those  
6 conversations -- or some of those conversations.

7 **Q.** Based on your conversations in those conference calls,  
8 what did Mr. Andrade understand about the Super Bowl plan?

9 **MR. SHEPARD:** Objection.

10 **THE COURT:** Sustained.

11 **BY MR. WARD:**

12 **Q.** Mr. Shepard asked you about the Project Sunshine plan, and  
13 he said that "We're relying on your word that you worked with  
14 Marcus Andrade on this." Do you remember that?

15 **A.** Yes.

16 **MR. WARD:** Can we bring up Exhibit 817, please. This  
17 has not been admitted.

18 Sorry. 418. Excuse me.

19 **Q.** Do you see this email, Mr. Bryan?

20 **A.** Yes, I do.

21 **Q.** Is this an email --

22 **A.** Yes, I do.

23 **Q.** Is this an email from you at The Watley Group?

24 **A.** Yes, it is.

25 **Q.** And do you see the individuals on the "to" line?

1 A. Yes, I do.

2 Q. Does that include Marcus Andrade and others?

3 A. Yes, it does.

4 Q. And then looking below in this email, are there  
5 communications from Mr. Andrade prior to this?

6 A. Yes.

7 MR. WARD: The Government would move to admit  
8 Exhibit 418.

9 MR. SHEPARD: No objection.

10 THE COURT: 418 will be admitted.

11 (Trial Exhibit 418 received in evidence.)

12 MR. WARD: All right. Can we highlight the top part  
13 in the first email.

14 Down with the email too.

15 Q. Mr. Bryan, do you see this email? Do you see where it  
16 says "Attachments: Project Sunshine"?

17 A. Yes, I do.

18 Q. And then you write [as read]:

19 "As discussed yesterday, attached is the  
20 overview of our marketing campaign for tokens."  
21 What does that refer to?

22 A. I believe that refers to the Project Sunshine proposal  
23 that had been reviewed by all the parties.

24 Q. All right. And did you send this to all the people on  
25 this email, including Marcus Andrade?

1 A. Yes, I did.

2 Q. And Melissa Foteh?

3 A. Yes.

4 Q. And Jack Abramoff?

5 A. Yes.

6 Q. You testified on cross that the market manipu- -- the  
7 market-making activities you engaged with were -- Mr. Shepard  
8 asked you whether you were ever prosecuted for them, and you  
9 said they were all offshore.

10 Why was that important and significant that they were all  
11 offshore?

12 A. Offshore of the United States meant that they were not  
13 regulated by the U.S. SEC, FINRA, or any other regulatory  
14 agency.

15 Q. Okay. Mr. Shepard asked you questions about the trading  
16 that was done through Polyblock in the AML BitCoin shares.

17 A. Yes.

18 Q. To your knowledge, was Polyblock trading AML BitCoin  
19 shares?

20 A. Yes.

21 Q. And was that trading, in your view, effective in pushing  
22 up the price?

23 A. The trading included actual buying. They were buying on  
24 their own account.

25 Q. But my question was: Was that -- was that trading for

1 their own account, was that effective?

2 **A.** Yes, because it effectively stopped the price from going  
3 down faster.

4 **Q.** Well, Mr. Bryan, you've said, in fact, it wasn't  
5 effective.

6 **A.** Well, it wasn't effective because according to the  
7 objectives, the price kept going down; but if they hadn't been  
8 buying, it would have gone down much faster. So it was  
9 effective in -- in delaying the downward slide.

10 **Q.** And Mr. Shepard asked you about what you told the FBI in  
11 2019.

12 Did you tell the FBI you were trying to conceal the fact  
13 that Miller's plan wasn't working by claiming that the natural  
14 trading was?

15 **A.** It wasn't -- it wasn't achieving the effect and the goals  
16 that Jack and Marcus had.

17 **Q.** And so you lied to them about that to try to make it  
18 appear more effective?

19 **A.** I exaggerated the impact that we were having, and -- but  
20 it still -- the price was going down. So, I mean, at the end  
21 of the day, there was no way we could fight all of the sellers.  
22 We had no way to succeed.

23 **Q.** And so you misled Mr. Abramoff and Mr. Andrade about the  
24 success of that plan?

25 **A.** Well, I don't believe that they thought it was successful,

1 so -- because it was going down. So they were complaining  
2 about how fast it was going down. And we weren't lying to say,  
3 "No, it's actually going up." It was saying to them, "This is  
4 the best we can do."

5 And we are taking credit -- when I'm saying "we're taking  
6 credit for the organic trading," yes, we were taking credit for  
7 things that were not organically us, but I do believe we were  
8 very effective in slowing down the downward spiral.

9 Q. But you told the FBI that you misled Mr. Abramoff and  
10 Mr. Andrade about the success of their plan?

11 A. Right. But --

12 MR. SHEPARD: Objection.

13 THE COURT: This has --

14 MR. WARD: Thank you.

15 THE COURT: This has been covered and covered --

16 THE WITNESS: Yes.

17 THE COURT: -- and covered.

18 THE WITNESS: Yes.

19 MR. WARD: All right.

20 THE COURT: Time to move on.

21 MR. WARD: Let's pull up Exhibit 1069, please.

22 Q. Looking at this exhibit, Mr. Shepard asked you about this.  
23 The email below, were those the concerns that you raised  
24 with Mr. Abramoff about your struggles in raising any  
25 institutional interest in AML BitCoin?

1 A. Correct. This was dated three or four weeks before  
2 trading started, and we were trying to get a very successful  
3 initial start to trading and getting the institutions involved,  
4 and this prevented us from getting that done.

5 MR. WARD: All right. And let's back out of this.

6 Q. And you see this was forwarded to Mr. Andrade?

7 A. Yes.

8 Q. And did you express to Mr. Andrade your frustrations in  
9 trying to get institutional interest in AML BitCoin?

10 A. Yes.

11 Q. And did you tell Mr. Andrade that you needed more  
12 financial information and technology information and  
13 information about the company in order to gain interest?

14 A. Yes. Most of that was conducted by John Langdon, and John  
15 was asking for all types of information: technical,  
16 financial, everything.

17 THE COURT: Okay, okay. Just answer the question.

18 BY MR. WARD:

19 Q. And in the end, did Marcus Andrade ever provide you with  
20 the financial or technical or business information that you  
21 needed?

22 A. No. We did not get --

23 THE COURT: You answered it "No."

24 THE WITNESS: Yes.

25 THE COURT: That's good.

1 Next question.

2 **BY MR. WARD:**

3 **Q.** And were you ever able to finalize any deals with anyone  
4 on Wall Street?

5 **A.** I'm sorry?

6 **Q.** Were you ever able to finalize any interest in AML BitCoin  
7 among anybody on Wall Street?

8 **A.** Of the institutional groups, no.

9 (Pause in proceedings.)

10 **MR. WARD:** Nothing further.

11 Thank you.

12 **THE WITNESS:** Thank you.

13 **THE COURT:** Very brief recross.

14 **MR. SHEPARD:** Understood, Your Honor.

15 If we can put up 418, Ed, please.

16 **RECROSS-EXAMINATION**

17 **BY MR. SHEPARD:**

18 **Q.** Mr. Ward just showed you this document. I had asked you  
19 if Mr. Andrade had ever pressured you in writing; and after  
20 directing your attention to that question, he put up this  
21 document.

22 There's no pressure here from Mr. Andrade, is there?

23 **A.** No.

24 **Q.** And this is actually a forwarding of some of your  
25 Project Sunshine materials to a number of people; correct?



1 A. No. It's just my direct email. It's not a forward. I'm  
2 just directly emailing.

3 Q. Okay. Thank you for the correction.

4 You are sending --

5 A. Yes.

6 Q. -- directly Project Sunshine material to a number of  
7 people --

8 A. Yes.

9 Q. -- correct?

10 And among those people are some of Mr. Andrade's lawyers;  
11 correct?

12 A. Yes, I believe so. I'm not sure who they all are.

13 Q. Eric Olsen is on here, and that's one of the names you  
14 know now to be one of Mr. Andrade's --

15 A. Yes.

16 Q. -- lawyers?

17 A. That's correct.

18 Q. So what was going on with Project Sunshine was being  
19 shared with Mr. Andrade's lawyers?

20 A. Correct.

21 Q. You were asked about what Polyblock was doing, and you  
22 cited as a success when Polyblock was buying for their own  
23 account?

24 A. Correct.

25 Q. So that wasn't when they were engaging in this market

1 making where they were buying on the one hand and selling on  
2 the other. They had just decided on their own to buy on their  
3 own account; correct?

4 **A.** Throughout the whole process, there was a percentage of it  
5 that was actual purchases on their own account and a certain  
6 amount of trading amongst the entities that they had created;  
7 and I would say it was probably 70/30, maybe 60/40.

8 **Q.** And the purchases they made on their own account were what  
9 you attributed to keeping the price up some; correct?

10 **A.** Yes. Helping to -- helping to slow down the decline,  
11 I think is a better way to say it.

12 **MR. SHEPARD:** And then if we could get 1069 back up,  
13 please.

14 **Q.** This was put up here to show that after you had complained  
15 to Mr. Abramoff, he passed that along to Mr. Andrade; correct?

16 **A.** Yes. Yes, but -- yes.

17 **Q.** And you saw Mr. Andrade -- I'm sorry.

18 You saw Mr. Abramoff complain in writing to you about the  
19 fact that the price of the shares of the coin -- the price of  
20 the tokens was declining; correct?

21 **A.** At the very beginning of trade- -- yes.

22 **Q.** Yes.

23 **A.** I believe that was on the --

24 **Q.** You didn't get --

25 **A.** -- first --

1 Q. -- anything in writing --

2 (Simultaneous speaking.)

3 (Stenographer interrupts for clarification of the record.)

4 MR. SHEPARD: I'm sorry.

5 THE WITNESS: I believe that was the WhatsApp messages  
6 that we looked at that were right at the beginning, when  
7 trading had first started.

8 BY MR. SHEPARD:

9 Q. And you didn't get anything in writing from Marcus about  
10 not supporting -- about the price dropping; correct?

11 A. No.

12 MR. SHEPARD: Nothing further.

13 Thank you.

14 THE COURT: You may step down.

15 THE WITNESS: Thank you very much, Your Honor.

16 (Witness excused.)

17 THE COURT: Members of the jury, we'll take a  
18 ten-minute break, because we've had a couple of breaks, and so  
19 we'll start at 20 of.

20 And remember, don't discuss this amongst yourselves or  
21 with anyone else.

22 See you shortly.

23 (Proceedings were heard out of the presence of the jury.)

24 THE COURT: We're out of the presence of the jury.

25 The parties are moving, both sides, at a truly glacial

1 pace. I mean, in my humble opinion, it would have been -- both  
2 sides would have been more effective if it was about half the  
3 time with that particular witness.

4 So this is not to cover every single fact with every  
5 witness in this case. So let's target this process.

6 I'm assuming that the next witness will not be completed  
7 by 1:30. So is the plan that we will then just have that  
8 witness start again after you get back from Washington?

9 **MR. HIGHSMITH:** There's two options. There's one --  
10 that's one option.

11 The second is we could put somebody on who will end today  
12 but a little bit early. So I would recommend we do that but --

13 **THE COURT:** Well, I think that's better for the jury  
14 to be able to follow it.

15 **MR. HIGHSMITH:** Yeah.

16 **THE COURT:** But I don't want to do that if it means  
17 this will go on even longer.

18 **MR. HIGHSMITH:** No, no, no, absolutely not. No, no.  
19 What I mean is we'll be -- there's a chance we could be -- the  
20 risk is that we could be done a little bit early. That's -- I  
21 just -- that's the risk, is we're done a little bit early.

22 **THE COURT:** I understand.

23 **MR. HIGHSMITH:** I think that's good. Better than  
24 holding somebody over.

25 **THE COURT:** All right. Who is the person you want to

1 put on?

2 **MR. HIGHSMITH:** Ms. Hernandez. She's an IRS witness.

3 **THE COURT:** Okay. That's what we're going to do.

4 **MR. HIGHSMITH:** Thank you.

5 **THE COURT:** I mean, the problem of having -- I love  
6 ending early, but the problem is I don't want to just waste  
7 time that we otherwise could fill up.

8 But if you're representing to me it will be easier, then,  
9 to have a complete examination, and then the issue that  
10 Ms. Diamond had will be addressed.

11 **MS. DIAMOND:** Yes. Thank you, Your Honor.

12 **THE COURT:** All right. So we'll do it that way.

13 **MR. HIGHSMITH:** Thank you.

14 **THE COURT:** Oh, and one other question.

15 In reading this statement, it says, "You will hear a  
16 witness on Monday." Is there some reason we're not telling  
17 them it's going to be Mr. Abramoff?

18 **MR. HIGHSMITH:** I suggest we tell them it's  
19 Mr. Abramoff.

20 **MR. SHEPARD:** That's fine.

21 **THE COURT:** Yeah. I didn't know -- you know, "You  
22 will" --

23 **MR. SHEPARD:** They're certainly going to find out.

24 **THE COURT:** -- "hear a witness."  
25 It's, like, come on. Okay.

(Recess taken at 12:31 p.m.)

(Proceedings resumed at 12:41 p.m.)

(Proceedings were heard in the presence of the jury.)

**THE COURT:** The jury is present.

Mr. Ward?

**MR. WARD:** The Government calls Victoria Hernandez.

(Witness enters the courtroom and steps forward to be sworn.)

**THE COURT:** If you could come forward to be sworn.

**THE COURTROOM DEPUTY:** Please raise your right hand.

**VICTORIA HERNANDEZ,**

called as a witness for the Government, having been duly sworn,  
testified as follows:

**THE WITNESS:** I do.

**THE COURTROOM DEPUTY:** Please be seated.

Can you state your name and spell your last name, please.

**THE WITNESS:** My name is Victoria Hernandez,  
H-e-r-n-a-n-d-e-z.

**DIRECT EXAMINATION**

**BY MR. WARD:**

**Q.** Good afternoon, Ms. Hernandez.

Where do you work?

**A.** I work for the Internal Revenue Service.

**Q.** And what's your title?

**A.** I'm a court witness coordinator.

**Q.** And as part of your responsibilities, do you review IRS

1 files for information that's requested?

2 **A.** Yes, I do.

3 **MR. WARD:** All right. Can we pull up Exhibit 1433 for  
4 the witness, please.

5 **Q.** Ms. Hernandez, did you review the entirety of this exhibit  
6 prior to your testimony here today?

7 **A.** Yes, I have.

8 **Q.** Okay. In 2019, was the IRS asked to search for records of  
9 whether individuals and entities had filed tax returns?

10 **A.** Yes, they were.

11 **Q.** And did the IRS search their files and produce information  
12 on a number of individuals and entities as to whether they  
13 filed tax returns?

14 **A.** Yes.

15 **Q.** And was the IRS requested to determine whether Rowland  
16 Marcus Andrade filed tax returns?

17 **A.** Yes.

18 **Q.** And were they also asked to determine whether the  
19 NAC Foundation filed tax returns?

20 **A.** Yes.

21 **Q.** And did they ask whether the NAC Payroll Services had  
22 filed tax returns?

23 **A.** Yes.

24 **Q.** And then, finally, were they asked about the Fintech Fund,  
25 whether they had filed tax returns?

1 A. Yes.

2 Q. Did the IRS search through its records for tax returns  
3 filed from 2013 to 2018?

4 A. Yes.

5 Q. All right. Can we turn to page 6, please. Is this a  
6 summary of the results of the IRS search for filing tax  
7 returns?

8 A. Yes, it is.

9 Q. For Marcus Andrade, did he file tax returns in 2013 to  
10 2015?

11 A. For this request, some returns had been filed and some  
12 were not filed during the time of this request.

13 Q. At the time of this request, did he file his tax returns  
14 for 2013 to 2015?

15 A. Yes.

16 Q. But at the time of this request in November 2019, had he  
17 filed tax returns for tax years 2016 to 2018?

18 A. No.

19 Q. Looking down at the NAC Foundation, based on your search  
20 of -- the IRS search of records, was the NAC Foundation  
21 established in 2014?

22 A. It was established in 2014, yes.

23 Q. From the time periods 2014 to 2018, did the NAC Foundation  
24 file -- had they filed tax returns as of the time of this  
25 request?



1 A. No.

2 Q. For the NAC Payroll Services, did you determine -- the IRS  
3 determine that it was established in 2018?

4 A. Yes.

5 Q. And had they filed tax returns in 2018?

6 A. At the time of this request, no.

7 Q. Did you search -- did the IRS search for funds for a  
8 company called the Fintech Fund Family?

9 A. Yes.

10 Q. And was that established in 2016?

11 A. Yes, it was.

12 Q. And from 2016 to 2018, had they filed tax returns at the  
13 time of this request?

14 A. No, they had not.

15 Q. Did you search your files and determine that some tax  
16 returns had been filed after the Government made this request  
17 in 2019?

18 A. Yes.

19 Q. For Mr. Andrade, did he file his 2016 taxes after this  
20 letter, later in 2019?

21 A. Yes.

22 Q. And did he file his 2017 taxes in April of 2020?

23 A. Yes.

24 Q. And did he file his 2018 taxes in December of 2023?

25 A. Yes.

1 Q. For the NAC Foundation, did they file their 2017 taxes in  
2 2020?

3 A. The 2017?

4 Q. Yes.

5 A. Yes.

6 Q. And did they file their 2018 taxes in 2021?

7 A. Yes.

8 Q. And for the NAC Payroll, did they file 2018 taxes in 2021?

9 A. Yes.

10 Q. And for the Fintech Fund, did they file their 2016, 2017,  
11 and 2018 taxes in December of 2019?

12 A. Yes.

13 Q. All right. I'd like to show you -- have you look at a  
14 couple of pages. Can we go to page 9 of this exhibit, please.

15 Is this a certification of lack of IRS records for the  
16 NAC Payroll Services as of -- as of November 2019?

17 A. Yes.

18 Q. And is that an official IRS seal affixed to this document?

19 A. Yes, it is.

20 Q. Is that an accurate certified document of the search that  
21 the IRS conducted?

22 A. Yes, this is a certified document.

23 MR. WARD: The Government moves to admit page 9 of  
24 this exhibit.

25 Can we go to page --

1           **THE COURT:** Hello? And, again, this is exhibit which  
2 number?

3           **MR. WARD:** It's 1433, page 9.

4           **THE COURT:** Page 9.

5           **MR. STEFAN:** Sir, may I have a moment?

6           **THE COURT:** Okay. Take the moment.

7                           (Pause in proceedings.)

8           **MR. STEFAN:** Your Honor, the Government is attempting  
9 to introduce just this single page of the record, and the  
10 defense would object on the rule of completeness basis and seek  
11 to have the entire Exhibit 1433 admitted.

12           **MR. WARD:** No objection.

13           **THE COURT:** 1433 will be admitted.

14                           (Trial Exhibit 1433 received in evidence.)

15   **BY MR. WARD:**

16   **Q.** Looking at page 9, is this the certified record of the  
17 NAC Payroll Services?

18   **A.** Yes, it is.

19   **Q.** Is 11 the certified record of the NAC Foundation lack of  
20 payments?

21   **A.** Exhibit 11?

22   **Q.** Page 11.

23   **A.** Oh, page 11.

24           **MR. HIGHSMITH:** We're on page 9 right now.

25   \\

1 BY MR. WARD:

2 Q. Page 11.

3 A. I'm sorry. I don't see page 11.

4 (Witness examines document.) Yes, this is a certified  
5 record.

6 Q. Page 13. And is that a record of the Fintech Family  
7 Fund's lack of tax returns for 2016, 2017, and 2018?

8 A. Yes, this is a certified record.

9 Q. And then moving to page 22, is that a certification of a  
10 lack of tax returns filed in 2016, 2017, and 2018 by Marcus  
11 Andrade?

12 A. Yes, it is.

13 MR. WARD: One moment.

14 (Pause in proceedings.)

15 MR. WARD: Nothing further.

16 Thank you.

17 CROSS-EXAMINATION

18 BY MR. STEFAN:

19 Q. Good afternoon.

20 A. Good afternoon.

21 Q. Just to clarify, I believe you said on direct examination  
22 that since the period of 2016, 2017, and 2018, Mr. Andrade has,  
23 in fact, since filed tax returns for those years.

24 A. Once I researched for the filings to this request, I did  
25 see that 2016, 2017, and 2018 had been filed late, yes.

1 Q. But have been subsequently filed?

2 A. Yes, but they were not timely.

3 Q. But they have been subsequently filed?

4 A. Yes.

5 MR. STEFAN: Thank you, ma'am.

6 MR. WARD: Nothing further.

7 THE COURT: All right. You may step down.

8 THE WITNESS: Thank you.

9 (Witness excused.)

10 THE COURT: Members of the jury, we, again, are going  
11 to end a little bit early, it being Friday and the beginning of  
12 the weekend.

13 Let me tell you what's coming on Monday. On Monday, you  
14 are going to hear testimony from a remote witness,  
15 Jack Abramoff, via the Court's Zoom platform. The reason for  
16 the remote testimony is that the witness has a medical  
17 condition that does not allow him to travel from Washington,  
18 D.C., where he lives.

19 Some of the lawyers from each side will be in Washington,  
20 D.C., while me and other lawyers will be here with you in the  
21 courtroom. Mr. Andrade will be in D.C., Washington, D.C., as  
22 well during the examination of Mr. Abramoff.

23 You may observe the effects of the witness's condition and  
24 treatment during his testimony. As we may need to adjust our  
25 break schedule during this testimony, because we may have to do

1 that, you should consider the testimony of the witness in the  
2 same way as any witness who would testify live here in court.

3 The other thing I would ask of you is, our technology, as  
4 you've from time to time witnessed, is perhaps not the absolute  
5 best in the world. It's pretty good. It's worked all right so  
6 far. But bear with us. If you could have some patience. We  
7 may have some bumps in the road because of the distance and all  
8 of it. So I do ask you to be a little patient with us if we do  
9 have some hiccups in terms of the technological process.

10 With that, have a wonderful weekend. It's apparently  
11 going to be nice weather.

12 Do not do any research, anything associated with this  
13 case, talk about it with anyone. Put it out of your mind. And  
14 we'll get together again on Monday at 8:30 and go forward.

15 Have a wonderful weekend.

16 (Proceedings were heard out of the presence of the jury.)

17 **THE COURT:** Okay. We're out of the presence of the  
18 jury.

19 Just to remind me of how this is going to work on Monday  
20 morning, the screen will have -- what's going to -- what will  
21 show up on the monitors?

22 **MR. HIGHSMITH:** It's the Court's Zoom feed. You'll  
23 have the conference room in Washington, D.C., focused on  
24 Mr. Abramoff, the witness.

25 **THE COURT:** Will they be able to see the -- whoever --

1 it's the two of you, I guess, and Mr. Andrade. Will they be in  
2 the picture or not?

3 **MR. HIGHSMITH:** I don't know the answer to that. The  
4 reason is that the focus is having them be able to see  
5 Mr. Abramoff as closely as possible; and if we're social  
6 distanced, it'll be harder for them to see Mr. Abramoff if  
7 they're also getting us in the picture.

8 **THE COURT:** I just want to know what the lay of the  
9 land is.

10 **MR. HIGHSMITH:** That's the lay of the land.

11 **THE COURT:** If there are objections or -- well, so  
12 let's assume for a minute you're doing the examining -- you're  
13 doing the direct?

14 **MR. HIGHSMITH:** Yes.

15 **THE COURT:** Will you be -- will we see you?

16 **MR. HIGHSMITH:** I don't know the answer to that.

17 **THE COURT:** Okay.

18 **MR. HIGHSMITH:** It's sort of do we want to focus -- my  
19 priority is to show Mr. Abramoff. We'll do what we can. I'm  
20 just worried about the social distancing. That's the issue.

21 **THE COURT:** Well, I want to make sure for the court  
22 reporter. When people start speaking --

23 **MR. HIGHSMITH:** Yes.

24 **THE COURT:** -- she's not going to know who's talking.

25 **MR. HIGHSMITH:** Yes.

1           **THE COURT:** I mean, she may recognize your voices by  
2 now, but keep that in mind, and you may have to identify  
3 yourself if you're saying something. Okay?

4           **MR. HIGHSMITH:** Yes.

5           **THE COURT:** And then in Washington, will you see me?

6           **MR. HIGHSMITH:** Yes.

7           **THE COURT:** Okay. Will you see the jury? No,  
8 probably.

9           **MR. HIGHSMITH:** Probably not.

10           There's a camera for you. There's a camera for the --  
11 there's a camera on you. There's a camera here on this area,  
12 but it's not pointed at the jury.

13           **THE COURTROOM DEPUTY:** It's right here.

14           **MR. HIGHSMITH:** Is that pointed at the jury?

15           **THE COURTROOM DEPUTY:** No. It's pointed right at you.

16           **THE COURT:** Do you even want that one to -- what's  
17 that --

18           **MR. HIGHSMITH:** Nothing. It does nothing.

19           **THE COURT:** That's actually nothing.

20           **MR. HIGHSMITH:** It does nothing.

21           **THE COURT:** So can that actually be turned off maybe?

22           **THE COURTROOM DEPUTY:** Yes.

23           **THE COURT:** Because then there'll be more space.

24           **THE COURTROOM DEPUTY:** We'll do that at the tech check  
25 today.



1           **THE COURT:** Okay. All right.

2           Okay. Well, we'll see how it goes.

3           See you on -- nothing else, I assume.

4           **MR. SHEPARD:** Nothing else. Thank you.

5           **THE COURT:** Okay. See you on Monday.

6           **MR. HIGHSMITH:** See you on Monday.

7           **THE COURT:** Oh. And then whatever you're going to be  
8           filing for me, which you need -- if I understand it correctly,  
9           you will need an answer pretty much on Monday or Tuesday  
10          morning, I assume.

11          **MR. SHEPARD:** Probably.

12          **THE COURT:** So when will you be giving me what you're  
13          going to give me?

14          **MR. SHEPARD:** I saw a partial draft earlier this  
15          morning. So I guess the answer is: When would be the last  
16          time that we could give it to the Court that the Court would  
17          have, you know, the --

18          **MR. HIGHSMITH:** It's a reasonable question.

19          **MR. SHEPARD:** -- sufficient availability to review it?

20          And that's when we'll get it. It's in the works. I  
21          just --

22          **THE COURT:** I understand. I will turn to it at  
23          1:30 Pacific Time on Monday because I'm freed up at  
24          1:30 Pacific Time on Monday. So that is your -- if it's after  
25          that, no promises I'll read it.

1           **MR. SHEPARD:** Yeah. Well, since we will be mostly  
2 occupied, I think we will shoot for, you know, 8:30 Pacific  
3 Time in the morning.

4           **THE COURT:** Well, that's good because then my diligent  
5 clerks can get a head start.

6           **MR. SHEPARD:** Yeah.

7           **THE COURT:** Okay. And you'll do the same?

8           **MR. HIGHSMITH:** Same.

9           **THE COURT:** Okay.

10                   (Proceedings adjourned at 12:59 p.m.)

11                           ---oOo---

12  
13                           **CERTIFICATE OF REPORTER**

14           I certify that the foregoing is a correct transcript  
15 from the record of proceedings in the above-entitled matter.

16  
17   DATE: Saturday, February 22, 2025

18  
19  
20  
21                           Ana Dub

22                           \_\_\_\_\_  
23           Ana Dub, RDR, RMR, CRR, CCRR, CRG, CCG

24           CSR No. 7445, Official United States Reporter  
25